

MINNEAPOLIS CITY COUNCIL OFFICIAL PROCEEDINGS

REGULAR MEETING OF JULY 1, 2005

(Published July 9, 2005, in *Finance and Commerce*)

Council Chamber
350 South 5th Street
Minneapolis, Minnesota
July 1, 2005 - 9:30 a.m.

Council President Ostrow in the Chair.

Present - Council Members Lane, Samuels, Johnson, Colvin Roy, Zimmermann, Schiff, Zerby, Lilligren, Johnson Lee, Niziolek, Benson, Goodman, President Ostrow.

Lilligren moved adoption of the agenda.

Lilligren moved acceptance of the minutes of the regular meeting held June 17, 2005. Seconded.

Adopted upon a voice vote.

Lilligren moved referral of petitions and communications and reports of the City officers to the proper Council committees and departments. Seconded.

Adopted upon a voice vote.

PETITIONS AND COMMUNICATIONS

COMMUNITY DEVELOPMENT:

COMMUNITY PLANNING & ECONOMIC DEVELOPMENT (270490)

Hennepin County 2005 Affordable Housing Incentive Fund Program: Minneapolis projects approved for funds.

COMMUNITY DEVELOPMENT (See Rep):

COMMUNITY PLANNING & ECONOMIC DEVELOPMENT (270491)

Land Sales: Authorize sale of properties at 2313 13th Av S, 2439 Ilion Av N, 2115 Irving Av N, 2505 Irving Av N, 2526 James Av N, 2626 Plymouth Av N, and 2616 Plymouth Av N.

Village in Phillips: Authorize acquisition of property at 2404 Bloomington Av S.

Workforce Housing Project: Authorize Hennepin County Housing and Redevelopment Authority to conduct a land sale between the Minnesota Department of Transportation and the American Indian Community Development Corporation for sale of excess land.

Humboldt Industrial Park: Authorize staff to continue analysis of proposal and negotiate terms and conditions of a redevelopment contract with Real Estate Recycling.

Park Av E Lofts Project (Washington Av S and 2nd St on Park Av): Amendments to redevelopment contract terms.

Parcel D West (Washington Av & 2nd St, Portland & Park Av): Amendments to redevelopment contract terms.

Village in Phillips Redevelopment Project - Phase II: Evaluate proposal and TIF application; negotiate terms and conditions of a redevelopment contract.

COMMUNITY DEVELOPMENT and TRANSPORTATION & PUBLIC WORKS and W&M/BUDGET (See Rep):

COMMUNITY PLANNING & ECONOMIC DEVELOPMENT (270493)

2005 Transportation Equity Action for the 21st Century (TEA-21): Submission of applications for federal TEA-21 (2009-2010) funds passed through the State and commitment of local funds to support approved projects.

COMMUNITY DEVELOPMENT and WAYS & MEANS/BUDGET (See Rep):

COMMUNITY PLANNING & ECONOMIC DEVELOPMENT (270494)

Northeast Fix & Paint Program: Grant agreement with Northeast Community Development Corporation.

Northside Home Fund Initiative: Accept grant funds from the Minnesota Housing Finance Agency and Family Housing Fund.

HOME Program Budget: Approve Fiscal Year 2005 budget.

Karamu Tax Increment Financing District: Preserve the City's right to create a redevelopment tax increment financing district in the Near North & Willard Hay neighborhoods.

Target Center Capital Improvement Program: Modify current authority relative to privately financed capital improvements for Target Center.

Bid for Construction of Home and Garage: Accept low bid received of Ram Construction and Remodeling for home and garage at 1315 14th Av N.

NEIGHBORHOOD REVITALIZATION PROGRAM (NRP) (270492)

Lowry Hill Neighborhood Revitalization Program (NRP) Plan: Approve Modification No. 9 to the Lowry Hill NRP Phase I Neighborhood Action Plan creating a new strategy and reallocating funds to support improvement of the Walker Community Library.

HEALTH AND HUMAN SERVICES:

HEALTH AND FAMILY SUPPORT SERVICES (270495)

Public Health Emergency Preparedness: Quarterly report; with attachments.

HEALTH AND HUMAN SERVICES (See Rep):

HEALTH AND FAMILY SUPPORT SERVICES (270496)

Minneapolis Advisory Committee on People with Disabilities: Approve reappointment of Joan Willshire.

HEALTH AND HUMAN SERVICES and WAYS & MEANS/BUDGET (See Rep):

COMMUNITY PLANNING & ECONOMIC DEVELOPMENT (270497)

C.L.A.S.S. Educational Component of Summer Youth Employment & Training Program: Execute contract with Special School District #1 to accept up to \$59,400 to support youth participants in need of passing the basic skills test.

PUBLIC SAFETY AND REGULATORY SERVICES:

ATTORNEY (270498)

Criminal Justice Issues -- Payable Offenses.

ESTIMATE AND TAXATION (270499)

Audit Report: "A Review of the Ticketing/Citation Process and Related Fine Revenue".

PUBLIC SAFETY AND REGULATORY SERVICES (See Rep):

COUNCIL MEMBER SCHIFF (270500)

Baku Entertainment and Restaurant (3003 27th Av S): Comments on application for On-Sale Liquor Class B with Sunday Sales License.

FIRE DEPARTMENT (270501)

Fire Department Standard of Coverage: Adopt Standard of Coverage.

INSPECTIONS DEPARTMENT (270502)

Chapter 249 Property at 607 E 15th St: Authorize demolition.

LICENSES AND CONSUMER SERVICES (270503)

Coldstone Creamery (1418 W Lake St): Grant Sidewalk Café License.

Caribou Coffee (4606 Nicollet Av): Grant Sidewalk Café License.

Caffrey's Deli and Subs (3008 Lyndale Av S): Grant Sidewalk Café License.

Suburban World Theatre (3022 Hennepin Av): Grant On-Sale Liquor Class A with Sunday Sales License (new business), subject to prohibiting Adult Entertainment and conditions.

Uptown Drink (1400 Lagoon Av): Grant On-Sale Liquor Class E with Sunday Sales License (change in ownership), subject to conditions.

Parking Lot Signage for Towing or Immobilization of Motor Vehicles: Ordinance amending Title 13, Chapter 319 of Code requiring the sign be a minimum of 2 feet by 3 feet; reducing the size of letters on the sign; eliminating the requirements for the "lot owner's name" and "license or permit number"; and establishing a minimum size for the booted vehicle icon.

Licenses: Applications.

PUBLIC SAFETY AND REGULATORY SERVICES and WAYS & MEANS/BUDGET (See Rep):

FIRE DEPARTMENT (270504)

Fire Department Donations: Accept donations from J. Adair Dunkley and Jack A. Myers (\$100) and St. Cloud State University (\$150) for purchase of treadmill; and Approve appropriation.

2005 Law Enforcement Terrorism Prevention Program Grant: Accept grant award of \$74,212 and execute grant agreement with Minnesota Department of Public Safety, Division of Homeland Security and Emergency Management, to purchase robot for mitigation purposes by Police Bomb Squad; and Approve appropriation.

POLICE DEPARTMENT (270505)

Police Department Donations: Accept furniture donation from Slumberland Furniture Company, valued at \$2,278.56, for employee lounge at 5th Police Precinct.

Terrorism Prevention Grant: Accept grant award of \$97,500 and execute grant agreement with Minnesota Department of Public Safety, Division of Homeland Security and Emergency Management, to hire a consultant/planner who will participate in information, investigative and intelligence sharing activities related to homeland security; and Approve appropriation.

Financial Crimes Task Force: Amend grant agreement with Minnesota Department of Public Safety to receive \$34,350 for participation in Task Force with two officers through the end of grant period; and Approve appropriation.

TRANSPORTATION AND PUBLIC WORKS:

PUBLIC WORKS AND ENGINEERING (270506)

Quarterly Traffic Zones, Restrictions, and Controls: Documentation for 1st Quarter, 2005 (See Petn. No. 270343).

TRANSPORTATION AND PUBLIC WORKS (See Rep):

PUBLIC WORKS AND ENGINEERING (270507)

Police Department Third Precinct Expansion: Final change order to contract with Stahl Construction Company.

Southwest Corridor Alternatives Analysis: Appoint Council Members Niziolek and Schiff as Policy Committee members.

Ten-Year Transportation Action Plan Project Steering Committee: Resolution appointing citizen representatives.

TRANSPORTATION AND PUBLIC WORKS and WAYS & MEANS/BUDGET (See Rep):

PUBLIC WORKS AND ENGINEERING (270508)

Dynamic Speed Signs Test Project: Approve installation of dynamic speed signs at Marshall St and University Av NE; and approve appropriation.

Traffic Signal Installation at Midtown Exchange (Chicago Av & Chicago/Lake Transit Center: a) Authorize agreement with Metropolitan Council for installation and payment of signal; b) Authorize refund to Ryan Companies US, Inc. of \$86,750; and c) approve appropriation increase, to be reimbursed by Met Council.

Bid: Accept OP #6458, low bid of EnviroTech Remediation Services, Inc. to accomplish abatement of hazardous materials at the Street Maintenance/Police Department Property and Evidence Facility.

WAYS AND MEANS BUDGET:

COORDINATOR (270509)

New Central Library Project: Change Management Actions - Receive and File.

FINANCE DEPARTMENT (270510)

1st Quarter 2005 Financial Status Report: Receive and File.

WAYS AND MEANS BUDGET (See Rep):

ATTORNEY (270511)

Reimbursement of Legal Fees: Payments to Frederic Bruno & Assoc. on behalf of Officer Victor Mills and Officer John Laluzerne.

Legal Settlements: a) Aaron Madden & Dennis Burns; b) Connie Boland; c) Scott Whitman; d) Tamikah Lynn Weiner.

COMMUNITY PLANNING & ECONOMIC DEVELOPMENT (270512)

MN Historical Society Certified Local Government (CLG) Grant: Acceptance of \$12,000 in Federal Grant funds to revise the City's survey of historic properties; Increase appropriation to receive funds.

COORDINATOR (270513)

Greater Minneapolis Convention & Visitors Association (GMCVA): Authorize staff to prepare loan documents for an additional \$2.5 Million line of credit for completion and marketing of iDSS products and related services.

FINANCE DEPARTMENT (270514)

2005 Resident Survey: Issue RFP for conducting a 2005 Resident Survey.

HEALTH AND FAMILY SUPPORT SERVICES (270515)

Skyway Senior Center: Auth 3 year agreement with Medica to accept \$375,000 for the Skyway Senior Center; Increase appropriation to receive funds.

ZONING AND PLANNING (See Rep):

INSPECTIONS/BOARD OF ADJUSTMENT (270516)

Appeals:

Mark Koscielski (re Guns and Ammo, 2926 Chicago Ave S): Re firearms sales.

PLANNING COMMISSION/DEPARTMENT (270517)

Appeals:

John Cann, on behalf of Greenhouse Resident's Association: (re The Ackerberg Group/Lagoon Mixed Use Development, 1320 Lagoon Ave S, 2900, 2904 & 2908 Fremont Ave S): Re Conditional use permit for planned unit development; Lara Norkus-Crampton & Aaron Rubenstein: (re The Ackerberg Group/Lagoon Mixed Use Development, 1320 Lagoon Ave S, 2900, 2904 & 2908 Fremont Ave S): Re Conditional use permit for planned unit development (see also John Cann report).

Rezoning:

The Ackerberg Group (re Lagoon Mixed Use Development, 1320 Lagoon Ave S, 2900, 2904 & 2908 Fremont Ave S) (See Appeals report).

PLANNING COMMISSION/DEPARTMENT (270518)

Appeals:

Judy Meath & Alexandra Coe (re Biltmore Group LLC, 3809, 3811 & 3813 Sheridan Ave S): Re Variance & site plan review for six-unit cluster development; James McComb (2701 E Lake of the Isles Pkwy): Re Expansion of nonconforming use & variance for addition.

Brian Alton, for Chun Keath & Guenkeng Trann Ung (re U Garden Restaurant, 2725 University Ave SE): Re Variance & site plan review for expansion.

JADT Food Group LLC, dba McDonald's (916 W Broadway): Re conditional use permit for 24-hour operation.

CITY CLERK/SPECIAL PERMITS (270519)

Penn Ave N, 3622 (Robert Mwaniki) move a house;

Main St & 3rd Ave betw St. Anthony main (DeMars Signs Inc) banner.

The following reports were signed by Mayor Rybak on July 7, 2005, unless noted otherwise. Minnesota Statutes, Section 331A.01, Subd 10, allows for summary publication of ordinances and resolutions in the official newspaper of the city.

REPORTS OF STANDING COMMITTEES

The **COMMUNITY DEVELOPMENT** Committee submitted the following reports:

Comm Dev - Your Committee recommends passage of the accompanying resolution authorizing the sale of the property at 2313 13th Av S to the American Indian Community Development Corporation for \$150,484 for development of the Pokegama Housing Project.

Your Committee further recommends that the proper City officers be authorized to execute the documents necessary to effectuate said sale.

Adopted 7/1/05.

Resolution 2005R-377, authorizing the sale of 2313 13th Av S, was adopted 7/1/05 by the City Council. A complete copy of this resolution is available for public inspection in the office of the City Clerk.

The following is the complete text of the unpublished summarized resolution.

RESOLUTION 2005R-377

By Goodman

Authorizing sale of land Pokegama Project

Disposition Parcel No's NH-681, 682 & MC 83-4 & 5 (pt)

Whereas, the City of Minneapolis, hereinafter known as the City, has received an offer to purchase and develop Disposition Parcels NH-681, 682 & MC 83-4 & 5 (pt), in the Ventura Village neighborhood,

from American Indian Community Development Corporation (AICDC), hereinafter known as the Redeveloper, the Parcels NH-681, 682 & MC 83-4 & 5 (pt), being the following described land situated in the City of Minneapolis, County of Hennepin, State of Minnesota to wit:

Legal Description

Lots 4 thru 7 inclusive, and Lot 8 except the East 3.2 feet of South 109 Feet thereof, Block 14, Eliots Addition to Mpls.

Part of the above being registered land as is evidenced by Certificate of Title No. 1142733.

Whereas, the Redeveloper has offered to pay the sum of \$150,484 (\$4 sq ft.) Parcels NH-681, 682 & MC 83-4 & 5 (pt) to the City for the land, and the Redeveloper's proposal is in accordance with the applicable Redevelopment Plan and/or Program; and

Whereas, the Redeveloper has submitted to the City a statement of financial responsibility and qualifications; and

Whereas, the City has had the re-use value reviewed by an appraisal expert, stating that the re-use value opinion is consistent with the accepted methods in aiding the City in determining re-use value for the Parcel; and

Whereas, pursuant to due notice thereof published in *Finance and Commerce* on June 10, 2005 , a public hearing on the proposed sale was duly held on June 21, 2005, at the regularly scheduled Community Development Committee meeting of the City Council, at the Minneapolis City Hall, 350 South 5th Street, Room 317, at 1:30 p.m., in the City of Minneapolis, County of Hennepin, State of Minnesota;

Now, Therefore, Be It Resolved by The City Council of The City of Minneapolis:

That the re-use value for uses in accordance with the Pokegama Project plan, as amended, is hereby estimated to be the sum of \$150,484 (\$4 sq. ft.) for Parcels NH-681, 682 & MC 83-4 & 5 (pt).

Be It Further Resolved that the acceptance of the offer and proposal is hereby determined to be in accordance with the City's approved disposition policy and it is further determined that the Redeveloper possesses the qualifications and financial resources necessary to acquire and develop the parcel in accordance with the Redevelopment Plan and/or Program.

Be It Further Resolved that the proposal be and the same is hereby accepted, subject to the execution of a contract for the sale of land. Furthermore, that the Finance Officer or other appropriate official of the City be and the same is hereby authorized to execute and deliver the contract to the Redeveloper; provided, however, that this Resolution does not constitute such a contract and no such contract shall be created until executed by the Finance Officer or other appropriate official of the City.

Be It Further Resolved that the Finance Officer or other appropriate official of the City is hereby authorized to execute and deliver a conveyance of the land to the Redeveloper in accordance with the provisions of the executed contract and upon payment to the City for the purchase price thereof; provided, however, that this Resolution does not constitute such a conveyance and no such conveyance shall be created until executed by the Finance Officer or other appropriate City official of the City.

Adopted 7/1/05.

Comm Dev - Your Committee recommends passage of the accompanying resolution authorizing the sale of the property at 2439 Ilion Av N for \$18,750, 2115 Irving Av N for \$18,750, 2505 Irving Av N for \$19,400 and 2526 James Av N for \$19,200 to Chris Aimua and Associates, Inc., subject to the following conditions:

- 1) Land sale closing must occur on or before 30 days from date of City Council approval; and
- 2) Payment of holding costs of \$150 per month from the date of City Council approval to the date of closing if land sale closing does not occur on or before 30 days from date of approval.

The sale conditions may be waived or amended with the approval of the CPED Director.

Adopted 7/1/05.

Resolution 2005R-378, authorizing the sale of 2439 Ilion Av N, 2115 Irving Av N, 2505 Irving AV N and 2526 James Av N, was adopted 7/1/05 by the City Council. A complete copy of this resolution is available for public inspection in the office of the City Clerk.

The following is the complete text of the unpublished summarized resolution.

RESOLUTION 2005R-378

By Goodman

**Authorizing sale of land
Vacant Housing Recycling Program-Jordan
Disposition Parcel No. (See Exhibit A in Petn No 270491)**

Whereas, the City of Minneapolis, hereinafter known as the City, has received an offer to purchase and develop the Disposition Parcels described on Exhibit A attached hereto, in the Jordan neighborhood, from Chris Aimua & Associates, Inc., hereinafter known as the Redeveloper, the Parcels further described on Exhibit A attached hereto are situated in the City of Minneapolis, County of Hennepin, State of Minnesota; and:

Legal Description

(Summary per parcel reflected on Exhibit A in Petn No 270491 on file in the Office of the City Clerk)

Whereas, the Redeveloper has offered to pay the sum per parcel as reflected on Exhibit A attached hereto to the City for the land, and the Redeveloper's proposal is in accordance with the applicable Redevelopment Plan and/or Program; and

Whereas, the Redeveloper has submitted to the City a statement of financial responsibility and qualifications; and

Whereas, the City has had the re-use values reviewed by an appraisal expert, stating that the re-use value opinions are consistent with the accepted methods in aiding the City in determining re-use values for the Parcels; and

Whereas, pursuant to due notice thereof published in *Finance and Commerce* on June 10, 2005, a public hearing on the proposed sale was duly held on June 21, 2005, at the regularly scheduled Community Development Committee meeting of the City Council, at the Minneapolis City Hall, 350 South 5th Street, Room 317, at 1:30 p.m., in the City of Minneapolis, County of Hennepin, State of Minnesota;

Now, Therefore, Be It Resolved by The City Council of The City of Minneapolis:

That the re-use value for uses in accordance with the Spot Renewal Project, as amended, is hereby estimated to be the sum per parcel as reflected on Exhibit A attached hereto.

Be It Further Resolved that the acceptance of the offers and proposals are hereby determined to be in accordance with the City's approved disposition policy and it is further determined that the Redeveloper possesses the qualifications and financial resources necessary to acquire and develop the parcels in accordance with the Redevelopment Plan and/or Program.

Be It Further Resolved that the proposals be and the same are hereby accepted, subject to the execution of a contract for the sale of land. Furthermore, that the Finance Officer or other appropriate official of the City be and the same is hereby authorized to execute and deliver the contract to the Redeveloper; provided, however, that this Resolution does not constitute such a contract and no such contract shall be created until executed by the Finance Officer or other appropriate official of the City.

Be It Further Resolved that the Finance Officer or other appropriate official of the City is hereby authorized to execute and deliver a conveyance of the land to the Redeveloper in accordance with the provisions of the executed contract and upon payment to the City for the purchase price thereof; provided, however, that this Resolution does not constitute such a conveyance and no such conveyance shall be created until executed by the Finance Officer or other appropriate City official of the City.

Adopted 7/1/05.

Comm Dev - Your Committee recommends passage of the accompanying resolutions authorizing the sale of the property at 2626 Plymouth Av N to Powderhorn Community Council (PCC) for \$26,600 or, if that sale fails to close, to Affordable Custom Builders, Inc. for \$26,600, subject to the following conditions:

- 1) Land sale closing must occur on or before 30 days from date of City Council approval; and
 - 2) Payment of holding costs of \$150 per month from the date of City Council approval to the date of closing if land sale closing does not occur on or before 30 days from date of approval.
- The sale conditions may be waived or amended with the approval of the CPED Director.
Adopted 7/1/05.

Resolutions 2005R-379 and 2005R-380, authorizing the sale of 2626 Plymouth Av N, were adopted 7/1/05 by the City Council. A complete copy of each resolution is available for public inspection in the office of the City Clerk.

The following is the complete text of the unpublished summarized resolution.

RESOLUTION 2005R-379

By Goodman

**Authorizing sale of land
Willard Homewood Urban Renewal Project
Disposition Parcel No. WH 71-12**

Whereas, the City of Minneapolis, hereinafter known as the City, has received an offer to purchase and develop Disposition Parcel WH 71-12, in the Willard Homewood neighborhood, from Powderhorn Community Council (PCC), hereinafter known as the Redeveloper, the Parcel WH 71-12, being the following described land situated in the City of Minneapolis, County of Hennepin, State of Minnesota to wit:

Legal Description

Lot 18, Block 3, W H Lauderdales Addition to Minneapolis.

Whereas, the Redeveloper has offered to pay the sum of \$26,600, for Parcel WH 71-12 to the City for the land, and the Redeveloper's proposal is in accordance with the applicable Redevelopment Plan and/or Program; and

Whereas, the Redeveloper has submitted to the City a statement of financial responsibility and qualifications; and

Whereas, the City has had the re-use value reviewed by an appraisal expert, stating that the re-use value opinion is consistent with the accepted methods in aiding the City in determining a re-use value for the Parcel; and

Whereas, pursuant to due notice thereof published in *Finance and Commerce* on June 10, 2005, a public hearing on the proposed sale was duly held on June 21, 2005, at the regularly scheduled Community Development Committee meeting of the City Council, at the Minneapolis City Hall, 350 South 5th Street, Room 317, at 1:30 p.m., in the City of Minneapolis, County of Hennepin, State of Minnesota;

Now, Therefore, Be It Resolved by The City Council of The City of Minneapolis:

That the re-use value for uses in accordance with the Willard Homewood Urban Renewal Project plan, as amended, is hereby estimated to be the sum of \$26,600 for Parcel WH 71-12.

Be It Further Resolved that the acceptance of the offer and proposal is hereby determined to be in accordance with the City's approved disposition policy and it is further determined that the Redeveloper possesses the qualifications and financial resources necessary to acquire and develop the parcel in accordance with the Redevelopment Plan and/or Program.

Be It Further Resolved that the proposal be and the same is hereby accepted, subject to the execution of a contract for the sale of land. Furthermore, that the Finance Officer or other appropriate official of the City be and the same is hereby authorized to execute and deliver the contract to the Redeveloper; provided, however, that this Resolution does not constitute such a contract and no such contract shall be created until executed by the Finance Officer or other appropriate official of the City.

Be It Further Resolved that the Finance Officer or other appropriate official of the City is hereby authorized to execute and deliver a conveyance of the land to the Redeveloper in accordance with the provisions of the executed contract and upon payment to the City for the purchase price thereof; provided, however, that this Resolution does not constitute such a conveyance and no such conveyance shall be created until executed by the Finance Officer or other appropriate City official of the City.

Adopted 7/1/05.

The following is the complete text of the unpublished summarized resolution.

RESOLUTION 2005R-380

By Goodman

**Authorizing sale of land
Willard Homewood Urban Renewal Project
Disposition Parcel No. WH 71-12**

Whereas, the City of Minneapolis, hereinafter known as the City, has received an offer to purchase and develop Disposition Parcel WH 71-12, in the Willard Homewood neighborhood, from Affordable Custom Builders, Inc., hereinafter known as the Redeveloper, the Parcel WH 71-12, being the following described land situated in the City of Minneapolis, County of Hennepin, State of Minnesota to wit:

Legal Description

Lot 18, Block 3, W H Lauderdales Addition to Minneapolis.

Whereas, the Redeveloper has offered to pay the sum of \$26,600, for Parcel WH 71-12 to the City for the land, and the Redeveloper's proposal is in accordance with the applicable Redevelopment Plan and/or Program; and

Whereas, the Redeveloper has submitted to the City a statement of financial responsibility and qualifications; and

Whereas, the City has had the re-use value reviewed by an appraisal expert, stating that the re-use value opinion is consistent with the accepted methods in aiding the City in determining a re-use value for the Parcel; and

Whereas, pursuant to due notice thereof published in *Finance and Commerce* on June 10, 2005, a public hearing on the proposed sale was duly held on June 21, 2005, at the regularly scheduled Community Development Committee meeting of the City Council, at the Minneapolis City Hall, 350 South 5th Street, Room 317, at 1:30 p.m., in the City of Minneapolis, County of Hennepin, State of Minnesota;

Now, Therefore, Be It Resolved by The City Council of The City of Minneapolis:

That the re-use value for uses in accordance with the Willard Homewood Urban Renewal Project plan, as amended, is hereby estimated to be the sum of \$26,600 for Parcel WH 71-12.

Be It Further Resolved that the acceptance of the offer and proposal is hereby determined to be in accordance with the City's approved disposition policy and it is further determined that the Redeveloper possesses the qualifications and financial resources necessary to acquire and develop the parcel in accordance with the Redevelopment Plan and/or Program.

Be It Further Resolved that the proposal be and the same is hereby accepted, subject to the execution of a contract for the sale of land. Furthermore, that the Finance Officer or other appropriate official of the City be and the same is hereby authorized to execute and deliver the contract to the Redeveloper; provided, however, that this Resolution does not constitute such a contract and no such contract shall be created until executed by the Finance Officer or other appropriate official of the City.

Be It Further Resolved that the Finance Officer or other appropriate official of the City is hereby authorized to execute and deliver a conveyance of the land to the Redeveloper in accordance with the provisions of the executed contract and upon payment to the City for the purchase price thereof; provided, however, that this Resolution does not constitute such a conveyance and no such conveyance shall be created until executed by the Finance Officer or other appropriate City official of the City.

Adopted 7/1/05.

Comm Dev - Your Committee recommends passage of the accompanying resolutions authorizing the sale of the property at 2616 Plymouth Av N to Affordable Custom Builders, Inc. for \$24,000 or, if that sale fails to close, to Powderhorn Community Council for \$24,000, subject to the following conditions:

- 1) Land sale closing must occur on or before 30 days from date of City Council approval; and
- 2) Payment of holding costs of \$150 per month from the date of City Council approval to the date of closing if land sale closing does not occur on or before 30 days from date of approval.

The sale conditions may be waived or amended with the approval of the CPED Director. Adopted 7/1/05.

Resolutions 2005R-381 and 2005R-382, authorizing the sale of 2616 Plymouth Av N, were adopted 7/1/05 by the City Council. A complete copy of each resolution is available for public inspection in the office of the City Clerk.

The following is the complete text of the unpublished summarized resolution.

RESOLUTION 2005R-381

By Goodman

**Authorizing sale of land
Willard Homewood Urban Renewal Project
Disposition Parcel No. WH 71-14**

Whereas, the City of Minneapolis, hereinafter known as the City, has received an offer to purchase and develop Disposition Parcel WH 71-14, in the Willard Homewood neighborhood, from Affordable Custom Builders, Inc., hereinafter known as the Redeveloper, the Parcel WH 71-14, being the following described land situated in the City of Minneapolis, County of Hennepin, State of Minnesota to wit:

Legal Description

Lot 16, Block 3, W.H. Lauderdale's Addition to Minneapolis.

Being registered property as is evidenced by Certificate of Title No. 1142840.

Whereas, the Redeveloper has offered to pay the sum of \$24,000, for Parcel WH 71-14 to the City for the land, and the Redeveloper's proposal is in accordance with the applicable Redevelopment Plan and/or Program; and

Whereas, the Redeveloper has submitted to the City a statement of financial responsibility and qualifications; and

Whereas, the City has had the re-use value reviewed by an appraisal expert, stating that the re-use value opinion is consistent with the accepted methods in aiding the City in determining a re-use value for the Parcel; and

Whereas, pursuant to due notice thereof published in *Finance and Commerce* on June 10, 2005, a public hearing on the proposed sale was duly held on June 21, 2005, at the regularly scheduled Community Development Committee meeting of the City Council, at the Minneapolis City Hall, 350 South 5th Street, Room 317, at 1:30 p.m., in the City of Minneapolis, County of Hennepin, State of Minnesota;

Now, Therefore, Be It Resolved by The City Council of The City of Minneapolis:

That the re-use value for uses in accordance with the Willard Homewood Urban Renewal Project plan, as amended, is hereby estimated to be the sum of \$24,000 for Parcel WH 71-14.

Be It Further Resolved that the acceptance of the offer and proposal is hereby determined to be in accordance with the City's approved disposition policy and it is further determined that the Redeveloper possesses the qualifications and financial resources necessary to acquire and develop the parcel in accordance with the Redevelopment Plan and/or Program.

Be It Further Resolved that the proposal be and the same is hereby accepted, subject to the execution of a contract for the sale of land. Furthermore, that the Finance Officer or other appropriate official of the City be and the same is hereby authorized to execute and deliver the contract to the

Redeveloper; provided, however, that this Resolution does not constitute such a contract and no such contract shall be created until executed by the Finance Officer or other appropriate official of the City.

Be It Further Resolved that the Finance Officer or other appropriate official of the City is hereby authorized to execute and deliver a conveyance of the land to the Redeveloper in accordance with the provisions of the executed contract and upon payment to the City for the purchase price thereof; provided, however, that this Resolution does not constitute such a conveyance and no such conveyance shall be created until executed by the Finance Officer or other appropriate City official of the City.

Adopted 7/1/05.

The following is the complete text of the unpublished summarized resolution.

RESOLUTION 2005R-382

By Goodman

**Authorizing sale of land
Willard Homewood Urban Renewal Project
Disposition Parcel No. WH 71-14**

Whereas, the City of Minneapolis, hereinafter known as the City, has received an offer to purchase and develop Disposition Parcel WH 71-14, in the Willard Homewood neighborhood, from Powderhorn Community Council (PCC), hereinafter known as the Redeveloper, the Parcel WH 71-14, being the following described land situated in the City of Minneapolis, County of Hennepin, State of Minnesota to wit:

Legal Description

Lot 16, Block 3, W.H. Lauderdale's Addition to Minneapolis.

Being registered property as is evidenced by Certificate of Title No. 1142840.

Whereas, the Redeveloper has offered to pay the sum of \$24,000, for Parcel WH 71-14 to the City for the land, and the Redeveloper's proposal is in accordance with the applicable Redevelopment Plan and/or Program; and

Whereas, the Redeveloper has submitted to the City a statement of financial responsibility and qualifications; and

Whereas, the City has had the re-use value reviewed by an appraisal expert, stating that the re-use value opinion is consistent with the accepted methods in aiding the City in determining a re-use value for the Parcel; and

Whereas, pursuant to due notice thereof published in *Finance and Commerce* on June 10, 2005, a public hearing on the proposed sale was duly held on June 21, 2005, at the regularly scheduled Community Development Committee meeting of the City Council, at the Minneapolis City Hall, 350 South 5th Street, Room 317, at 1:30 p.m., in the City of Minneapolis, County of Hennepin, State of Minnesota;

Now, Therefore, Be It Resolved by The City Council of The City of Minneapolis:

That the re-use value for uses in accordance with the Willard Homewood Urban Renewal Project plan, as amended, is hereby estimated to be the sum of \$24,000 for Parcel WH 71-14.

Be It Further Resolved that the acceptance of the offer and proposal is hereby determined to be in accordance with the City's approved disposition policy and it is further determined that the Redeveloper possesses the qualifications and financial resources necessary to acquire and develop the parcel in accordance with the Redevelopment Plan and/or Program.

Be It Further Resolved that the proposal be and the same is hereby accepted, subject to the execution of a contract for the sale of land. Furthermore, that the Finance Officer or other appropriate official of the City be and the same is hereby authorized to execute and deliver the contract to the Redeveloper; provided, however, that this Resolution does not constitute such a contract and no such contract shall be created until executed by the Finance Officer or other appropriate official of the City.

Be It Further Resolved that the Finance Officer or other appropriate official of the City is hereby authorized to execute and deliver a conveyance of the land to the Redeveloper in accordance with the provisions of the executed contract and upon payment to the City for the purchase price thereof; provided, however, that this Resolution does not constitute such a conveyance and no such conveyance shall be created until executed by the Finance Officer or other appropriate City official of the City.

Adopted 7/1/05.

Comm Dev - Your Committee recommends that the City acquisition of real property located at 2404 Bloomington Av S be authorized, either by negotiated purchase or by "quick take" or other condemnation, by passage of the accompanying resolution, with said acquisition to be carried out pursuant to the terms and conditions of a redevelopment agreement between Powderhorn Residents Group Incorporated or its related development entity and the City of Minneapolis and in accordance with the Village in Phillips – Phase 2 Redevelopment Plan, as modified by Modification No. 1. Further, that the City appraisal and appraised value of this property be approved.

Your Committee further recommends that Powderhorn Residents Group shall be responsible for any costs associated with a "quick take" or other condemnation acquisition, if that becomes necessary.

Adopted 7/1/05.

Resolution 2005R-383, authorizing the acquisition of the property at 2404 Bloomington Av S, was adopted 7/1/05 by the City Council. A complete copy of this resolution is available for public inspection in the office of the City Clerk.

The following is the complete text of the unpublished summarized resolution.

RESOLUTION 2005R-383

By Goodman

Authorizing condemnation proceedings and acquisition pursuant to Minnesota Statutes, Chapter 117, Village in Phillips Redevelopment Project (Modification No. 1).

Whereas, the City Council of the City of Minneapolis, being the governing body of the municipality, acting pursuant to the Municipal Housing and Redevelopment Act in the State of Minnesota, Laws 1947, Chapter 487, (now recodified as Minnesota Statutes Sections 469.001 to 469.047) (hereinafter referred to as the "Act") on the 12th day of September, 1947 duly adopted the following resolution; "Whereas, there are in the City of Minneapolis substandard, slum or blighted areas which cannot be redeveloped without governmental assistance; Whereas, adequate housing accommodations are not available to the City for veterans and service men and their families; Whereas, there is a shortage of decent safe and sanitary dwelling accommodations available to persons of low income and their families at rentals they can afford; Now, Therefore Be It Resolved by the City Council of the City of Minneapolis; that it being fully advised in the premises by reason of the foregoing, declares that there is a need for a Housing and Redevelopment Authority to function in said City, in accordance with the provisions of Laws of 1947, Chapter 487", and

Whereas, pursuant to said resolution, the Housing and Redevelopment authority in and for the City of Minneapolis, later known as the Minneapolis Community Development Agency, (hereinafter referred to as the "Agency") was duly established; and

Whereas, Minnesota Laws 2003, Chapter 127, Article 12, Sections 31-34, (the "2003 Special Law"), authorized the City to create a City department of community planning and economic development and exercise the powers granted by the Act, among other powers; and

Whereas, the 2003 Special Law further granted the City the powers authorized by Laws 1980, chapter 595, as amended; by Laws 1990, chapter 604, article 7, section 29, as amended by Laws 1991, chapter 291, article 10, section 20; and any other development or redevelopment powers authorized by law.

Whereas, on August 8, 2003, the City Council of the City of Minneapolis by Ordinance 2003-OR-104 established the Department of Community Planning and Economic Development (hereinafter referred to as "CPED"); and

Whereas, on December 29, 2003, the City Council of the City of Minneapolis duly adopted Resolution 2003 R-625, transferring money, investments, personal property, assets, programs, projects, districts and obligations of the Agency to the City; and

Whereas, by the Assignment and Assumption Agreement dated as of January 1, 2004, the Agency assigned certain assets, rights and obligations to the City, including, but not limited to, redevelopment projects, housing development projects, industrial development districts, city development districts and other types of statutory districts or projects, which were assumed by the City of Minneapolis; and

Whereas, the City, pursuant to and as provided in Minnesota Statutes Section 469.012 has all the powers necessary and convenient to carry out the purposes of the Act; and

Whereas, among the purposes of said Act are: to provide a sufficient supply of adequate, safe, and sanitary dwellings in order to protect the health, safety, morals, and welfare of the citizens of this state; to clear and redevelop blighted areas; to perform those duties according to comprehensive plans; to remedy the shortage of housing for low and moderate income residents and to redevelop blighted areas, in situations in which private enterprise would not act without government participation or subsidies; and in cities of the first class, to provide housing for persons of all incomes, Minn. Stat. § 469.001; and

Whereas, for said purposes the City is authorized to develop and carry out redevelopment projects as defined in Minnesota Statutes Section 469.002, Subd. 14, and redevelopment plans as defined in Minnesota Statutes Section 469.002, Subd. 16; and

Whereas, on November 10, 2003, the City Council of the City of Minneapolis by resolution duly adopted the Village in Phillips Redevelopment Plan; and

Whereas, the City Council approved Modification No. 1 to the Village in Phillips Redevelopment Plan dated October 8, 2004 and approved on November 19, 2004; and

Whereas, the City has caused an independent fee appraiser to appraise the property hereinafter described in fee simple; and

Whereas, City staff have reviewed said appraisal and concurred with its conclusions; and

Whereas, said appraisal fairly estimates the fair market value in fee simple of all interests in the parcels hereinafter described.

Now, Therefore, Be It Resolved by The City Council of The City of Minneapolis:

1. It is necessary to acquire the real property in said project hereinafter described in order for the City to carry out the purposes of the Act, to eliminate and prevent the development or spread of conditions of blight found to exist by the City Council of the City of Minneapolis in its resolution of September 12, 1947, above referred to, and found to exist by the City.

2. The acquisition of the following described property is necessary to carry out the objectives of the Village in Phillips Redevelopment Project as described in the Village in Phillips Redevelopment Plan and Modification No. 1 to the Plan, to eliminate blight, incompatible uses and blighting influences by redeveloping underutilized property and to provide housing and affordable housing in accordance with the City's Affordable Housing Policy, in order to provide decent, safe and sanitary dwellings for persons of low and moderate income and in order to provide housing for persons of all incomes.

3. The acquisition of the following described property by exercise of the power of eminent domain in the manner provided by Minnesota Statutes Chapter 117 is deemed to be necessary and is hereby authorized.

4. The City deems it necessary to proceed without delay under Minnesota Statutes Section 117.042 to pay to the owner or into Court, a sum of money to secure compensation to the owners of the properties described in this resolution, which amount shall be equal to petitioner's approved appraisal of value as determined by City staff.

5. The City, based on an independent appraisal and review of that appraisal by City staff hereby approves the following appraised value for the properties to be acquired:

\$38,000.00

The property to be acquired hereunder is described as follows:

Parcel MC 130-25

2404 Bloomington Avenue South

Minneapolis, MN

The North 1/2 of Lot 2, Block 1, Gale's 1st Addition to Minneapolis, Hennepin County, Minnesota.

Abstract Property

Adopted 7/1/05.

Comm Dev - Your Committee, having under consideration a preliminary proposal by the American Indian Housing Corporation for development of a Workforce Housing Project in the vicinity of Franklin Av and Highway 55 and a request that the City facilitate the transfer of land from the Minnesota Department of Transportation (MnDOT) to the American Indian Community Development Corporation (AICDC), now recommends passage of the accompanying resolution authorizing the Hennepin County Housing and Redevelopment Authority to conduct a land sale between MnDOT and AICDC for the sale of said excess MnDOT land.

Adopted 7/1/05.

Resolution 2005R-384, authorizing Hennepin County to conduct a land sale between the Minnesota Department of Transportation and the American Indian Community Development Corporation, was adopted 7/1/05 by the City Council. A complete copy of this resolution is available for public inspection in the office of the City Clerk.

The following is the complete text of the unpublished summarized resolution.

RESOLUTION 2005R-384
By Goodman

Approving Hennepin County Housing and Redevelopment Authority conduct land sale between the Minnesota Department of Transportation (MNDOT) and the American Indian Community Development Corporation (AICDC) for the sale of excess MNDOT land for an AICDC housing project.

Whereas, the Hennepin County Housing and Redevelopment Authority proposes to act as a conduit for the transfer of excess land from the Minnesota Department of Transportation ("MNDOT"), to American Indian Community Development Corporation, a Minnesota nonprofit corporation ("AICDC"), for the acquisition and new construction of a housing project to be undertaken by AICDC and located north of Franklin Avenue and west of Hiawatha Avenue in Minneapolis, Minnesota (the "Project"); and

Whereas, Minnesota Statutes, Section 383B.77, Subd 3, requires that this City Council must approve a project undertaken by the Hennepin County Housing and Redevelopment Authority before such a project may be undertaken within this City; and

Whereas, the Project is subject to the approval of this City Council; and

Whereas, it is deemed in the best interest of this community to approve the Hennepin County Housing and Redevelopment Authority's implementation of the Project as an approved Project;

Now, Therefore, Be It Resolved by The City Council of The City of Minneapolis:

That pursuant to Minnesota Statutes, Section 383B.77, subd. 3, the City Council approves the Project and approves of the Project assistance to be provided by the Hennepin County Housing and Redevelopment Authority to facilitate the acquisition and new construction of a housing project by AICDC, subject to the following requirements:

(a) That this City retains its jurisdiction over all issues of local concern relating to zoning, land usage, building code requirements and compliance with all applicable city codes and ordinances.

(b) That repayment of any financing obligations owed by Hennepin County Housing and Redevelopment Authority or AICDC will be made solely from revenues derived from the County, AICDC or the Project.

(c) That the full faith and credit of this City will not be pledged in any fashion as a source of repayment of said financing obligation owed by Hennepin County Housing and Redevelopment Authority, AICDC or the Project.

Adopted 7/1/05.

Comm Dev - Your Committee, having been informed of a development proposed by Real Estate Recycling (RER) for Humboldt Industrial Park, now recommends that the proper City officers be authorized to continue analysis of said proposal and further be authorized to negotiate terms and conditions of a redevelopment contract with RER and prepare a redevelopment plan and tax increment financing plan for the proposed development.

Adopted 7/1/05.

Comm Dev - Your Committee, having under consideration the Park Avenue East (PAE) Lofts Project (located between Washington Av S and 2nd St S on Park Av) and Brighton Development's proposal to rework the design and construction of the PAE project, now recommends approval of the amended redevelopment contract terms for the project (as set forth in Petn No 270491).

Adopted 7/1/05.

Comm Dev - Your Committee, having under consideration Parcel D West (the block located between Washington Av S and 2nd St S and Portland and Park Aves) and a proposal of Brighton Development for two projects on the undeveloped portion of the block, now recommends approval of the amended redevelopment contract terms for said portion of Parcel D West (as set forth in Petn No 270491).

Adopted 7/1/05.

Comm Dev - Your Committee, having under consideration project analysis authorization and Non-Profit Housing Development Fund Assistance for the Village in Phillips - Phase 2 Redevelopment Project, now recommends that the proper City officers be authorized to:

- a) Evaluate the Village in Phillips - Phase 2 development proposal and tax increment financing (TIF) application;
- b) Negotiate the terms and conditions of a possible redevelopment contract; and
- c) Prepare a redevelopment TIF plan for said project, subject to final determination of project eligibility, required reviews, public input, notices and hearings.

Your Committee further recommends approval of \$24,500 of Non-Profit Housing Development Assistance Funds for the Village in Phillips - Phase 2 project and authorization to execute appropriate documents.

Adopted 7/1/05.

The **COMMUNITY DEVELOPMENT, TRANSPORTATION & PUBLIC WORKS, and WAYS & MEANS/BUDGET** Committees submitted the following report:

Comm Dev, T&PW & W&M/Budget - Your Committee, having under consideration the available Federal Transportation Equity Action for the 21st Century (TEA-21) Funds for 2009-2010, now recommends that the proper City officers submit a series of applications for said TEA-21 funds passed through the state. (Petn No.270493)

Your Committee further recommends that said funds be committed, as per federal requirements, to support approved TEA-21 projects.

Adopted 7/1/05.

The **COMMUNITY DEVELOPMENT and WAYS & MEANS/BUDGET** Committees submitted the following reports:

Comm Dev & W&M/Budget - Your Committee, having under consideration a request from the Northeast Community Development Corporation (NCDC) for funding to continue the Northeast Fix & Paint Program, now recommends:

- a) That the proper City officers be authorized to execute a grant agreement with NCDC to receive \$49,000 in CEDF/LEVY funds; and
- b) Passage of the accompanying resolution increasing the Community Planning and Economic Development (CPED) Department appropriation by \$49,000.

Adopted 7/1/05.

RESOLUTION 2005R-385
By Goodman and Johnson

Amending the 2005 General Appropriation Resolution.

Resolved by The City Council of The City of Minneapolis:

That the above-entitled resolution, as amended, be further amended by increasing the appropriation for the Community Planning and Economic Development Agency in the LEVY Fund (SCDCC-890) by \$49,000.

Adopted 7/1/05.

Comm Dev & W&M/Budget - Your Committee, having been informed that the City has been awarded Minnesota Housing Finance Agency (MHFA) and Family Housing Fund grants for the Northside Home Fund, now recommends that the proper City officers be authorized to:

a) Accept the following grant funds:

MHFA	\$225,000
Family Housing Fund	\$250,000
Family Housing Fund	<u>\$ 50,000</u>
Total	\$525,000;

b) Execute grant, subrecipient, and/or disbursement and related agreements to receive said grant funds.

Your Committee further recommends passage of the accompanying resolution increasing the Community Planning and Economic Development (CPED) Department appropriation by \$525,000 to reflect the receipt of said grant funds.

Adopted 7/1/05.

RESOLUTION 2005R-386
By Goodman and Johnson

Amending the 2005 General Appropriation Resolution.

Resolved by The City Council of The City of Minneapolis:

That the above-entitled resolution, as amended, be further amended by increasing the appropriation for the Community Planning and Economic Development Agency in the State Grants & Loans Fund (SMN0-890-8933) by \$525,000.

Adopted 7/1/05.

Comm Dev & W&M/Budget - Your Committee recommends approval of the Fiscal Year 2005 HOME Program Budget (as included in Petn No 270494).

Adopted 7/1/05.

Comm Dev & W&M/Budget - Your Committee recommends passage of the accompanying resolution preserving the right of the City to create a redevelopment tax increment financing district in the Near North & Willard Hay Neighborhoods to be named the Karamu Tax Increment Financing District.

Adopted 7/1/05.

Resolution 2005R-387, preserving the right of the City to create a redevelopment tax increment financing district in the Near North & Willard Hay Neighborhood, was adopted 7/1/05 by the City Council. A complete copy of this resolution is available for public inspection in the office of the City Clerk.

The following is the complete text of the unpublished summarized resolution.

RESOLUTION 2005R-387
By Goodman and Johnson

Adopting Resolution to Preserve the Right of the City to Create a Redevelopment Tax Increment Financing District in the Willard-Homewood Urban Renewal Project Area

Resolved by The City Council of The City of Minneapolis

Section 1. Recitals.

1.01 Pursuant to Laws of Minnesota 2003, Chapter 127, Article 12, Sections 31-34, and Minneapolis Code of Ordinances, Chapter 415, the City of Minneapolis (the "City"), acting by and through its department of Community Planning and Economic Development ("CPED"), has been granted the authority to propose and implement City development districts, housing and redevelopment projects and tax increment financing districts, all pursuant to Minnesota Statutes, Sections 469.001 through 469.134, and 469.174 through 469.179, as amended, and other laws enumerated therein (collectively, the "Project Laws").

1.02 That in 1971, the City approved the Willard-Homewood Urban Renewal Plan, and subsequent resolutions modifying the Willard-Homewood Urban Renewal Plan in 1972, 1984 and in 1990; all pursuant to and in accordance with the Project Laws.

1.03 It has been proposed that the City preserve the right of the City to create a redevelopment tax increment financing district that includes five parcels located within the Willard-Homewood Urban Renewal Project Area, all pursuant to and in accordance with the Project Laws.

1.04 The City has caused to be prepared, and this City Council has investigated the facts with respect to an analysis of the five subject parcels.

1.05 The City has performed all actions required by law to be performed, including, but not limited to, an analysis of the site conditions after inspections of the property, all pursuant to and in accordance with the Project Laws.

1.06 The City Council hereby determines that it is necessary and in the best interests of the City at this time to preserve the right of the City to create a redevelopment tax increment district financing district that includes these parcels, as needed, within three years of demolition, pursuant to Minnesota Statutes, Section 469.174, Subdivision 10.

Section 2. Findings.

2.01 The City Council hereby finds, determines and declares that the parcels identified as property identification numbers 20-029-24-11-0020 (an abandoned boarded, dilapidated church and sideyard), 10-029-24-11-0040 (vacant, boarded condemned double bungalow), 20-029-24-11-0001 (vacant parking lot), 20-029-24-11-0129 (vacant paved parking lot), and 20-029-24-11-0002 (vacant parking lot) contain blighting influences of obsolete, blighted, and deteriorated substandard structures requiring substantial renovation or clearance, including a church in very poor condition, vacant, paved parking lots, and a condemned boarded double bungalow, and exhibit deficiencies in other categories including, but not limited to suspected pollutants and contaminants at or beneath the surface of one or more of the parcels, are incompatible with zoning codes, infringe on adjacent property, are underutilized and functionally obsolete in substandard condition. The structures do not meet Uniform Building Codes or Minnesota Energy Codes, contain evidence of fire or other damage, contain lead based paint, with peeling paint, damaged, cracked and missing stucco, deteriorated roofs, and rotten fascia and soffits.

2.02 The City Council further finds, determines and declares that more than 70 percent (100%) of the area of the proposed district is occupied by buildings, streets, utilities, paved or gravel parking lots, or other similar structures and more than 50 percent (100%) of the buildings, not including outbuildings, are structurally substandard to a degree requiring substantial renovation or clearance.

2.03 The City Council further finds, determines and declares that the area to be considered for inclusion in a future tax increment financing district is a blighted area consistent with the undertaking of a redevelopment tax increment financing district, pursuant to the Project Laws; and that the tax increment financing district to be established, if necessary, would meet the criteria of a redevelopment district, as defined in Minnesota Statutes, Section 469.174, Subdivision 10, based upon detailed and

documented parcel-by-parcel interior and external inspections of the properties to be included in the TIF district; that exterior surveys were conducted for all properties; and that the reasons and supporting facts for these determinations are retained and available from the City.

2.04 The Council further finds, determines and declares that the area includes parcels occupied by structurally substandard buildings, and it is the intent to authorize clearance of these parcels while establishing and preserving the right of the City to create a redevelopment tax increment financing district that includes these parcels, as needed, within three years of demolition, pursuant to Minnesota Statutes, Section 469.174, Subdivision 10.

2.05 The City Council further finds, determines and declares that the subject property is unused, underused or inappropriately used, and is a deteriorating and deteriorated area and a redevelopment area within the meaning of the Project Laws.

Section 3. Approval.

3.01 Based upon the findings set forth in Section 2 hereof, this action presented to the City Council on this date, is hereby approved and shall be placed on file in the office of the City Clerk.

Adopted 7/1/05.

Comm Dev & W&M/Budget - Your Committee recommends concurrence with the recommendation of the Neighborhood Revitalization Program (NRP) Policy Board in approving the ninth modification of the Lowry Hill NRP Phase I Neighborhood Action Plan that creates a new strategy and reallocates \$20,000 to support improvements at the Walker Library; and that the proper City officers be authorized to enter into any contracts or agreement needed to implement the modification.

Adopted 7/1/05.

Comm Dev & W&M/Budget - Your Committee, having under consideration the Target Center Capital Improvement Program, now recommends approval to modify the current authorization to permit privately financed capital improvements for Target Center provided the present value of all "private payments" within the meaning of Section 141 of the Internal Revenue Code of 1986, as amended, related to such improvement projects does not exceed ten percent of the original principal amount of the 1995 City and Agency Arena Acquisition Bonds for the life of said Bonds, such amount to be determined by qualified bond counsel.

Your Committee further recommends that said matter be forwarded to the Minneapolis Community Development Agency (MCDA) Board of Commissioners for further consideration.

Adopted 7/1/05.

Comm Dev & W&M/Budget - Your Committee recommends acceptance of the low bid received on OP #6437 from Ram Construction and Remodeling in the amount of \$161,200 to furnish and deliver all labor, materials, equipment and incidentals necessary for the complete renovation, site work and construction of a new garage at 1315 14th Av N, all in accordance with City specifications. Further, that the proper City officers be authorized to execute a contract for said project in accordance with specifications.

Adopted 7/1/05.

The **HEALTH & HUMAN SERVICES** Committee submitted the following reports:

H&HS - Your Committee, to whom was referred an ordinance amending Title 9, Chapter 172 of the Minneapolis Code of Ordinances relating to *Fire and Police Protection: Civilian Police Review Authority*, allowing the Director of the Civil Rights Department to have access to review investigative files for administrative purposes; and allowing, but not requiring, the police officer identified in the complaint to attend the public portion of the hearing, now recommends that said ordinance be given its second reading for amendment and passage.

Adopted 7/1/05.

Ordinance 2005-Or-053 amending Title 9, Chapter 172 of the Minneapolis Code of Ordinances relating to *Fire and Police Protection: Civilian Police Review Authority*, amending Section 172.170(d) to allow the Director of the Civil Rights Department to have access to review investigative files for administrative purposes; and Section 172.180 to allow, but not require, the police officer identified in the complaint to attend the public portion of the hearing, was adopted 7/1/05 by the City Council. A complete copy of this ordinance is available for public inspection in the office of the City Clerk.

The following is the complete text of the unpublished summarized ordinance.

ORDINANCE 2005-Or-053
By Zimmermann
Intro & 1st Reading: 5/27/05
Ref to: H&HS
2nd Reading: 7/1/05

Amending Title 9, Chapter 172 of the Minneapolis Code of Ordinance relating to Fire and Police Protection: Civilian Police Review Authority.

The City Council of the City of Minneapolis do ordain as follows:

Section 1. That subsection 172.170(d) of the above-entitled ordinance be amended to read as follows:

172.170. Staff.

(d) *Firewall.* Department of civil rights staff with access to review authority files shall not have access to civil rights investigation files. Department of civil rights staff with access to civil rights investigation files shall not have access to the review authority files. Information from civil rights investigations shall not be shared with staff assigned to the review authority. Information from review authority investigations shall be shared only with staff assigned to the review authority. The director of the department of civil rights shall have an administrative role with regards to the review authority ~~and shall not have access to investigative files of the review authority~~ . The director shall have access to review authority investigative files for administrative purposes consistent with establishing management goals and objectives, evaluating employee performance, providing case management support, and making budgetary decisions, but shall not participate in the decision-making process regarding individual complaint files.

Section 2. That Section 172.180 of the above-entitled ordinance be amended to read as follow:

172.180. Requirement of cooperation by the Minneapolis Police Department and all other city employees and officials with the review authority. The Minneapolis Police Department and all other City of Minneapolis employees and officials shall, except as expressly prohibited by law, respond promptly to any and all reasonable requests for information, for participation in hearings, and for access to data and records for the purpose of enabling the review authority to carry out its responsibilities under this chapter. ~~The police officer identified in the complaint shall attend the public portion of the scheduled hearing.~~ The failure by any official or employee of the Minneapolis Police Department or by any other City of Minneapolis employee or official to comply with such requests for information, participation, or access shall be deemed an act of misconduct. The police officer identified in the complaint may, but shall not be required to, attend the public portion of the scheduled hearing.

Adopted 7/1/05.

H&HS - Your Committee recommends concurrence with the recommendation of the Mayor and City Council to reappoint Joan Willshire, 111 4th St N (Ward 5) to the Minneapolis Advisory Committee on People with Disabilities, for a two-year term to expire December 31, 2006.

Adopted 7/1/05.

The **HEALTH & HUMAN SERVICES** and **WAYS & MEANS/BUDGET** Committees submitted the following report:

H&HS & W&M/Budget - Your Committee, having under consideration the Summer Youth Employment & Training Program and its C.L.A.S.S. educational component, now recommends that the proper City Officers be authorized to execute a contract with Minneapolis Special School District #1 to accept up to \$59,400 to support youth participants who are in need of passing the basic skills test. Adopted 7/1/05.

The **PUBLIC SAFETY & REGULATORY SERVICES** Committee submitted the following reports:

PS&RS - Your Committee, to whom was referred an ordinance amending Title 5, Chapter 115 of the Minneapolis Code of Ordinances relating to *Building Code: Building Moving*, revising the existing authority and procedures for issuance of permits by eliminating the Special Council Permit process, now recommends that said ordinance be given its second reading for amendment and passage. Adopted 7/1/05.

Ordinance 2005-Or-054 amending Title 5, Chapter 115 of the Minneapolis Code of Ordinances relating to *Building Code: Building Moving*, amending Section 115.30 and repealing Section 115.40 to revise the existing authority and procedures for issuance of permits by eliminating the Special Council Permit process, was adopted 7/1/05 by the City Council. A complete copy of this ordinance is available for public inspection in the office of the City Clerk.

The following is the complete text of the unpublished summarized ordinance.

ORDINANCE 2005-Or-054
By Niziolek and Ostrow

Intro & 1st Reading: 10/25/02
Ref to: PS&RS
2nd Reading: 7/1/05

Amending Title 5, Chapter 115 of the Minneapolis Code of Ordinances relating to Building Code: Building Moving.

The City Council of The City of Minneapolis do ordain as follows:

Section 1. That Section 115.30 of the above-entitled ordinance be amended to read as follows:

115.30. Permit required. Every licensed building mover shall, in each and every instance, before raising, holding up or moving any building from and/or to a location within the city limits, obtain a permit therefor from the director of inspections. Said permit shall contain an approval of the new site to which the building is to be moved. Said moving permit shall state specifically the route to be taken and all movement requirements designated by the city engineer and shall limit the time for the removal of said building. No building permit for the foundation, construction, alteration, or repair of such building shall be issued until such moving permit has been filed. Additionally, no building permit will be issued until a site plan is provided indicating building orientation and the locations of all building entrances in compliance with applicable zoning requirements. In no case shall a building be moved that is not worth sixty (60) per cent of the cost of a similar new building.

Section 2. That Section 115.40 of the above-entitled ordinance be and is hereby repealed.

115.40. Procedure for permit. ~~If any person desires to have any building moved to a location within the city limits, such person shall first obtain a council permit from the city council. Said permit shall contain an approval of the new site to which the building is to be moved. A licensed building mover shall file such permit with the director of inspections. Thereupon, the director shall grant such licensed building mover a moving permit to move said building. Said moving permit shall state specifically the route to be taken and all movement requirements designated by the city engineer and shall limit the time for the removal of said building. No building permit for the foundation, construction, alteration, or repair of such~~

building shall be issued until such moving permit has been filed. Additionally, no building permit will be issued until a site plan is provided indicating building orientation and the locations of all building entrances in compliance with applicable zoning requirements. In no case shall a building be moved that is not worth sixty (60) per cent of the cost of a similar new building.

Adopted 7/1/05.

PS&RS - Your Committee, to whom was referred an ordinance amending Title 13, Chapter 319 of the Minneapolis Code of Ordinances relating to *Licenses and Business Regulations: Open Air Motor Vehicle Parking*, establishing that the sign be a minimum of 2 feet by 3 feet; reducing the size of letters on the sign from 3 inches to 2 inches; eliminating the requirement that the "lot owner's name" and "license or permit number" of the lot owner be displayed on the sign; and establishing a minimum size for the booted vehicle logo on the entrance sign, now recommends that said ordinance be given its second reading for amendment and passage.

Adopted 7/1/05.

Ordinance 2005-Or-055 amending Title 13, Chapter 319 of the Minneapolis Code of Ordinances relating to *Licenses and Business Regulations: Open Air Motor Vehicle Parking*, amending Section 319.230 establishing that the sign be a minimum of 2 feet by 3 feet; reducing the size of letters on the sign from 3 inches to 2 inches; eliminating the requirement that the "lot owner's name" and "license or permit number" of the lot owner be displayed on the sign; and establishing a minimum size for the booted vehicle logo on the entrance sign, was adopted 7/1/05 by the City Council. A complete copy of this ordinance is available for public inspection in the office of the City Clerk.

The following is the complete text of the unpublished summarized ordinance.

ORDINANCE 2005-Or-055

By Zerby

Intro & 1st Reading: 6/17/05

Ref to: PS&RS

2nd Reading: 7/1/05

Amending Title 13, Chapter 319 of the Minneapolis Code of Ordinances relating to Licenses and Business Regulations: Open Air Motor Vehicle Parking Lots.

The City Council of The City of Minneapolis do ordain as follows:

Section 1. That Section 319.230 of the above-entitled ordinance be amended to read as follows:

319.230. Signs. (a) Every Class A licensee shall maintain information signs on the parking lot. No information signs are required for Class B lots except that when signs are used they shall conform to the requirements of this section when applicable. Said signs shall show the name and telephone number of the licensee or attendant, the license certificate number, the street address of the parking lot, and the rates charged for parking or storing automobiles on said premises. Such signs shall state the minimum rate, the maximum rate for twelve (12) hours, and the maximum rate for twenty-four (24) hours, and if there is no maximum rate, the sign shall so indicate. Such signs shall also state the rate for special events. No change in the posted rates shall be effective unless written notice of such change has been filed with the department of licenses and consumer services not less than seven (7) calendar days prior to the effective time of the change. Signs shall be either three (3) feet by five (5) feet horizontal, three (3) feet by five (5) feet vertical, or five (5) feet by ten (10) feet horizontal, permanently mounted with a minimum height to the bottom of sign of eight (8) feet and a maximum height to top of sign of fifteen (15) feet, and shall conform to all city codes regarding erection and construction. No temporary signs or overlays shall be permitted unless the price posted on such signs or overlays conforms with the price posted on the permanent signs on the lot. All signs shall be plainly visible to the public, and shall be printed in the "Standard Alphabet of Highway Signs" (series E); series C or D may be permitted upon

approval to accommodate necessary long verbiage. Layout of sign graphics shall be according to the approved prototypes as approved by the city council on file with the department of inspections which establishes the standards pertaining to size of sign, color, size of lettering, placement of information and identification symbols. Signs may include a business logo. In no case shall any letters or numerals be less than three (3) inches in height. The green color used shall be "outdoor advertising association standard" No. 144-L medium green.

(b) Signs on one-way streets need only display required graphics on the side facing traffic flow. In such cases the opposite face shall be painted white.

(c) Free parking lots may place no more than one (1) freestanding information sign at each entrance. The sign shall not be required to adhere to the above graphic requirements, but shall be limited to a maximum size of fifteen (15) square feet and in no case shall the longest dimension exceed five (5) feet.

(d) Except as permitted in this section, it shall be unlawful to attach signs to or display graphics of any type on licensed attendant buildings except to attach or incorporate into the building design a sign which specifies the hours of attendant duty, the location of keys after attendant hours, the name and phone number of licensee, and any other information essential to the normal operation of the lot.

(e) All parking lots that engage in towing of unauthorized vehicles shall post such practice on a sign at each lot entrance. The sign shall be a minimum of two (2) feet by three (3) feet. In addition, the sign shall include the ~~lot owner's name~~, license or permit number, name and telephone number of Class A tower used, and the current fee charged for towing. No tower shall charge more than the amount indicated on the sign posted at the parking lot at the time of towing of the vehicle. Letters on such signs shall be at least ~~three (3)~~ two (2) inches in height. Such signs shall be clearly worded to explain the rules and procedure under which a vehicle may be parked and left on the open air parking lot. The language and placement of the entrance signs shall be subject to approval by the director of the department of licenses and consumer services or the director's duly authorized representative. Compliance with this section shall occur within sixty (60) days of the effective date of the amendment.

(f) All parking lots that engage in immobilization of unauthorized vehicles shall post such practice on a sign at each lot entrance. The sign shall be a minimum of 2 feet by 3 feet. In addition, the sign shall include the ~~lot owner's name~~, license or permit number, name and telephone number of immobilization service used, and the current fee charged for immobilization. No immobilization service shall charge more than the amount indicated on the sign posted at the parking lot at the time of immobilization of the vehicle. The sign must include the phrase "Violators Booted Immediately" and include a logo chosen by the Director of Licenses and Consumer Services to represent the fact that the parking lot uses a vehicle immobilization service. The logo shall be displayed at a size of fourteen and one-half (14.5) inches in width and four and one-half (4.5) inches in height. Letters on such signs shall be at least ~~three (3)~~ two (2) inches in height. Such signs shall be clearly worded to explain the rules and procedure under which a vehicle may be parked and left on the open air parking lot. The language and placement of the entrance signs shall be subject to approval by the director of the department of licenses and consumer services or the director's duly authorized representative. Compliance with this section shall occur within sixty (60) days of the effective date of the amendment.

(g) The information required to be present on the signage in paragraphs (e) and (f) may be combined on one (1) sign.

(h) All Class A parking lots located within the Downtown B4 zoning district shall post at all points of entry a Minneapolis Police Department no trespassing sign of dimensions as approved by the Minneapolis Police Department. Additionally, at least one (1) no trespassing sign shall be visible from any point in the lot.

Adopted 7/1/05.

PS&RS - Your Committee, having under consideration the application of Willie's Wine Bar and Coffee House LLC, dba Willie's Wine Bar & Coffee House, 1100 Harmon Pl, for an On-Sale Wine Class B with Strong Beer License (new business) to expire April 1, 2006, and a Sidewalk Cafe License (new business) to expire April 1, 2006, and having held a public hearing thereon, now recommends that said licenses be granted, subject to final inspection and compliance with all provisions of applicable codes and ordinances.

Adopted 7/1/05.

Approved by Mayor Rybak 7/1/05.

(Published 7/6/05)

PS&RS - Your Committee, having under consideration the application of Papa's Pizza and Pasta LLC, dba Papa's Pizza and Pasta, 4159 Thomas Av N, for an On-Sale Wine Class E with Strong Beer License (new business) to expire April 1, 2006, and having held a public hearing thereon, now recommends that said license be granted, subject to final inspection and compliance with all provisions of applicable codes and ordinances.

Adopted 7/1/05.

Approved by Mayor Rybak 7/1/05.

(Published 7/6/05)

PS&RS - Your Committee, having under consideration the application of Holper-Wall Enterprises Inc, dba Triple Espresso Etc, 1410 Nicollet Av, for an On-Sale Liquor Class D with Sunday Sales License (new business) to expire October 1, 2005, and a Sidewalk Cafe License (new proprietor) to expire April 1, 2006, and having held a public hearing thereon, now recommends that said licenses be granted, subject to final inspection and compliance with all provisions of applicable codes and ordinances.

Adopted 7/1/05.

Approved by Mayor Rybak 7/1/05.

(Published 7/6/05)

PS&RS - Your Committee, having under consideration the application of Great Suburban World Theatre LLC, dba Suburban World Theatre, 3022 Hennepin Av, for an On-Sale Liquor Class A with Sunday Sales License (new business) to expire January 1, 2006, now recommends that said license be granted, subject to the following conditions:

a. the licensee will not allow any activities to occur on its premises which include or involve nude or semi-nude dancing, revealing or inappropriate employee attire, mud wrestling, wet T-shirt contests, employee wrestling with customers or sexually suggestive touching, and other similar types of activities. Violation of these terms shall provide a basis for revocation of the City's consent for the licensee to operate a Class A On-Sale Liquor License.

b. final inspection and compliance with all provisions of applicable codes and ordinances.

Niziolek moved to substitute the following report for the above report. Seconded.

Adopted upon a voice vote.

PS&RS - Your Committee, having under consideration the application of Great Suburban World Theatre LLC, dba Suburban World Theatre, 3022 Hennepin Av, for an On-Sale Liquor Class A with Sunday Sales License (new business) to expire January 1, 2006, now recommends that said license be granted, subject to the following conditions:

a. the licensee will not allow any activities to occur on its premises which include or involve nude or semi-nude dancing, revealing or inappropriate employee attire, mud wrestling, wet T-shirt contests, employee wrestling with customers or sexually suggestive touching, and other similar types of activities. Violation of these terms shall provide a basis for revocation of the City's consent for the licensee to operate a Class A On-Sale Liquor License.

b. any proposed alterations to the building shall be reviewed and approved by City Planning staff in consultation with the applicable Heritage Preservation Commission review prior to implementation.

c. hours of operation for a restaurant shall be 6:00 a.m. to 8:00 p.m., seven days a week. Delivery food service shall be 6:00 a.m. to 1:00 a.m.

d. hours of operation for the theatre will coincide with a live theatre production, and will be limited to three hours before and two hours after the scheduled event. Operating hours are not to exceed the hours of 6:00 a.m. to 1:00 a.m. as covered by the Conditional Use Permit.

e. all occupants for a live theatre production must be ticket holders or be included on a guest list.

f. authorized events not open to the public other than live theatre productions include weddings and corporate parties.

g. dancing will be restricted to live theater productions or events with ticket holders.

h. final inspection and compliance with all provisions of applicable codes and ordinances.

The report, as substituted, was adopted 7/1/05.

PS&RS - Your Committee, having under consideration the application of Great Suburban World Theatre LLC, dba Suburban World Theatre, 3022 Hennepin Av, for a Sidewalk Cafe License (new business) to expire April 1, 2006, now recommends that said license be granted, subject to final inspection and compliance with all provisions of applicable codes and ordinances.

Niziolek moved that the report be referred back to the Public Safety & Regulatory Services Committee. Seconded.

Adopted upon a voice vote 7/1/05.

PS&RS - Your Committee, having under consideration the application of Thind Family LLC, dba Camden Liquors, 4153 Lyndale Av N, for an Off-Sale Liquor License (change in ownership) to expire October 1, 2005, now recommends that said license be granted, subject to Police Licenses completing its review of the liquor application, and final inspection and compliance with all provisions of applicable codes and ordinances.

Niziolek moved that the report be referred back to the Public Safety & Regulatory Services Committee. Seconded.

Adopted upon a voice vote 7/1/05.

PS&RS - Your Committee, having under consideration the application of Legends 825 LLC, dba Legends Cafe, 825 E Hennepin Av, for an On-Sale Liquor Class B with Sunday Sales License (change in ownership from Mr. Arthurs Inc) to expire July 1, 2005, now recommends that said license be granted, subject to Police Licenses completing its review of the liquor application, and final inspection and compliance with all provisions of applicable codes and ordinances.

Adopted 7/1/05.

PS&RS - Your Committee, having under consideration the application of Uptown Drink LLC, dba Uptown Drink, 1400 Lagoon Av, for an On-Sale Liquor Class E with Sunday Sales License (change in ownership) to expire April 1, 2006, now recommends that said license be granted, subject to the formulation of conditions, and final inspection and compliance with all provisions of applicable codes and ordinances.

Niziolek moved to substitute the following report for the above report. Seconded.

Adopted upon a voice vote.

PS&RS - Your Committee, having under consideration the application of Uptown Drink LLC, dba Uptown Drink, 1400 Lagoon Av, for an On-Sale Liquor Class E with Sunday Sales License (change in ownership) to expire April 1, 2006, now recommends that said license be granted, subject to the following conditions:

1. the bar area shall consist of the tiled portion of the floor immediately adjacent to the bar structure. The remainder of the area between the bar structure and the half wall shall be maintained as a means of access and egress as defined in the applicable fire and building codes. The applicant shall instruct employees to maintain the area as a means of access and egress as defined in the applicable fire and building codes.

2. alcohol service and consumption in the new seating area to be built in a portion of the former game room shall be limited to patrons seated at tables or booths.

3. there will be no patron seating at the indoor rooftop bar, and alcohol service and consumption in the outdoor area shall be limited to patrons seated at tables or booths consistent with Section 360.100(c) of the Minneapolis Code of Ordinances.

4. the establishment shall be operated in compliance with Section 362.390 and Section 362.395 of the Minneapolis Code of Ordinances.

5. all sales figures attributed to the sale of food and beverages not containing beverage alcohol shall be for specific purchases of such products. While buffet food sales shall not be prohibited, no price of admission to the premises shall be attributed to buffet food sales.

6. reduced price or free beverage alcohol offerings shall not be offered with the intent of violating Section 362.295 of the Minneapolis Code of Ordinances.

7. (a) in the event that the licensee chooses to advertise by the distribution of flyers, either individually handed to persons, or placed upon vehicle windshields, litter and refuse control shall be

regulated as required by Section 360.95 of the Minneapolis Code of Ordinances. (b) the licensee shall voluntarily "police" the area in which such flyers were distributed no later than 24 hours after such distribution beyond the geographic limits required by Section 360.95 of the Minneapolis Code of Ordinances, but this condition 7(b) shall not constitute the sole grounds for suspension, revocation, denial, or renewal of the liquor license. Violation of 7(b) shall be first subject to administrative enforcement as a violation of Section 360.100(h) of the Minneapolis Code of Ordinances.

8. final inspection and compliance with all provisions of applicable codes and ordinances.

The report, as substituted, was adopted 7/1/05.

Approved by Mayor Rybak 7/1/05.

(Published 7/6/05)

PS&RS - Your Committee, having under consideration the application of Raising the Bar LLC, dba Zeno Cafe, 800 LaSalle Av, for an On-Sale Liquor Class C-1 with Sunday Sales License (sidewalk cafe expansion) to expire April 1, 2006, and a Sidewalk Cafe License (new business) to expire April 1, 2006, now recommends that said licenses be granted, subject to final inspection and compliance with all provisions of applicable codes and ordinances.

Niziolek moved that the report be referred back to the Public Safety & Regulatory Services Committee. Seconded.

Adopted upon a voice vote 7/1/05.

PS&RS - Your Committee, having under consideration the following license applications for sidewalk cafe areas and/or outdoor seating areas, now recommends that they be granted, subject to final inspection and compliance with all provisions of applicable codes and ordinances:

a. Just Us Treats Inc, dba Coldstone Creamery, 1418 W Lake St, for a Sidewalk Cafe License (new business) to expire April 1, 2006.

b. Caribou Coffee Co Inc, dba Caribou Coffee #1107, 4606 Nicollet Av, for a Sidewalk Cafe License (new business) to expire April 1, 2006.

c. P S Foods LLC, dba Caffrey's Deli & Subs, 3008 Lyndale Av S, for a Sidewalk Cafe License (new business) to expire April 1, 2006.

d. Parker Investments Inc, dba Northeast Yacht Club, 801 Marshall St NE, for an On-Sale Liquor Class E with Sunday Sales License (expansion of premises to allow outdoor seating in the private parking lot to the east of the building) to expire July 1, 2005.

e. Classic Affairs Inc, dba Shieks Palace Royale, 115 S 4th St, for an On-Sale Liquor Class A with Sunday Sales License (expansion of premises to allow outdoor seating area on private land to the west of the building along S 4th St) to expire April 1, 2006.

f. La Perla Del Pacifico Inc, dba La Perla Del Pacifico, 6009 Nicollet Av, for an On-Sale Liquor Class C-2 with Sunday Sales License (expansion of premises to allow outdoor seating area on private land to the west of the building along Nicollet Av S) to expire October 1, 2005.

g. Topshelf Club Inc, dba Spin, 10 S 5th St, for an On-Sale Liquor Class A with Sunday Sales License (expansion of premises to allow outdoor seating area on the private vacated alley to the east of the building) to expire April 1, 2006.

h. Take One Enterprises Inc, dba Big 10 Restaurant & Bar, 606 Washington Av SE, for an On-Sale Liquor Class E with Sunday Sales License (sidewalk cafe expansion on Washington Av SE public sidewalk frontage) to expire April 1, 2006, and a Sidewalk Cafe License (new business) to expire April 1, 2006.

i. Viking Bar Inc, dba Viking Bar, 1829 Riverside Av, for an On-Sale Liquor Class C-1 with Sunday Sales License (expansion of premises to allow outdoor seating area on the private land to the east of the building along 19th Av S).

j. Bartums Inc, dba Lone Tree Bar & Grille, 528 Hennepin Av, for an On-Sale Liquor Class B with Sunday Sales License (sidewalk cafe expansion on 6th St public sidewalk frontage) to expire April 1, 2006, and a Sidewalk Cafe License (new business) to expire April 1, 2006.

k. BLB Inc, dba Bryant Lake Bowl, 801 W Lake St, for an On-Sale Wine Class A with Strong Beer License (sidewalk cafe expansion) to expire April 1, 2006, and a Sidewalk Cafe License (new business) to expire April 1, 2006 (Referred back from City Council 6/17/05).

Adopted 7/1/05.

PS&RS - Your Committee, having under consideration the application of Baku Entertainment & Restaurants LLC, dba Baku Entertainment & Restaurant, 3003 27th Av S, for an On-Sale Liquor Class B with Sunday Sales License to expire January 1, 2006, and having held a license hearing thereon, now recommends that said license be denied.

Adopted 7/1/05.

PS&RS - Your Committee recommends adoption of the accompanying Resolution granting applications for Liquor, Wine and Beer Licenses.

Adopted 7/1/05.

Resolution 2005R-388, granting applications for Liquor, Wine and Beer Licenses, was adopted 7/1/05 by the City Council. A complete copy of this resolution is available for public inspection in the office of the City Clerk.

The following is the complete text of the unpublished summarized resolution.

RESOLUTION 2005R-388

By Niziolek

Granting Liquor, Wine and Beer Licenses.

Resolved by The City Council of The City of Minneapolis:

That the following applications for liquor, wine and beer licenses be granted, subject to final inspection and compliance with all provisions of applicable codes and ordinances:

Off-Sale Liquor, to expire April 1, 2006

RJJ Holdings LLC, dba Bottle House of Minneapolis, 150 2nd Av S;

D'Amico Catering LLC, dba D'Amico Catering at the Atrium, 275 Market St, Suite C25;

Off-Sale Liquor, to expire July 1, 2006

Philmik Inc, dba Hennepin Lake Liquors, 1200 W Lake St;

KJM Enterprises Inc, dba Lowry Hill Liquors, 1922 Hennepin Av, 1st floor;

E & M Franklin Nicollet, dba Franklin Nicollet Liquor Store, 2012 Nicollet Av, 1st floor;

Off-Sale Liquor, to expire October 1, 2005

Zipp's Liquors Inc, dba Zipp's Liquor, 2618 E Franklin Av;

On-Sale Liquor Class A with Sunday Sales, to expire June 24, 2005

BLB Inc, dba Uptown Pride Block Party, 810 W Lake St (temporary expansion of premises June 24, 2005, 5:00 p.m. to 10:30 p.m.);

On-Sale Liquor Class A with Sunday Sales, to expire April 1, 2006

Classic Affairs Inc, dba Schieks Palace Royale, 115 S 4th St;

D'Amico Catering LLC, dba D'Amico Catering at the Atrium, 275 Market St, Suite C25;

Trimark Hotel Corporation, dba Millennium Hotel, 1313 Nicollet Mall;

On-Sale Liquor Class A with Sunday Sales, to expire June 18, 2005

Food & Drink Inc, dba Barfly, 711 Hennepin Av (temporary expansion of premises June 18, 2005, 9:00 p.m. to 2:00 a.m.);

On-Sale Liquor Class A with Sunday Sales, to expire July 2, 2005

Food & Drink Inc, dba Barfly, 711 Hennepin Av (temporary expansion of premises July 2, 2005, 9:00 p.m. to 2:00 a.m.);

On-Sale Liquor Class A with Sunday Sales, to expire July 1, 2006

Metropolitan Sports Facilities Commission, dba H H H Metrodome, 900 S 5th St;

Minneapolis Branch American Association of University Women, dba Gale Mansion, 2115 Stevens Av;

On-Sale Liquor Class B with Sunday Sales, to expire June 18, 2005

Caboose Enterprises Inc, dba Cabooze, 913 Cedar Av S (temporary expansion of premises June 18, 2005, 9:00 a.m. to 7:00 p.m.);

On-Sale Liquor Class B with Sunday Sales, to expire July 10, 2005

Caboose Enterprises Inc, dba Cabooze, 913 Cedar Av S (temporary expansion of premises July 10, 2005, 9:00 a.m. to 7:00 p.m.);

On-Sale Liquor Class B with Sunday Sales, to expire January 1, 2006

Spring Street Tavern LLC, dba Spring Street Tavern, 355 Monroe St NE (change in ownership from Manzanillo Ventures Inc);

On-Sale Liquor Class B with Sunday Sales, to expire April 1, 2006

Cajun Creole Creations of Minneapolis LLC, dba Copelands of New Orleans, 2 S 7th St;

Dinkytowner Inc, dba Dinkytowner Cafe, 412 14th Av SE;

On-Sale Liquor Class B with Sunday Sales, to expire July 1, 2005

Minneapolis 0052 LLC, dba Lodge Bar, 15 S 5th St (new manager);

On-Sale Liquor Class B with Sunday Sales, to expire July 1, 2006

Michael Anthony Inc, dba Runyons, 107 Washington Av N (change in ownership from Bill Bass Inc; upgrade from On-Sale Liquor Class E with Sunday Sales; and Sidewalk Cafe expansion);

Brothers of Minneapolis Inc, dba Brothers, 430 1st Av N, Suite 100;

Last Cowboy LLC, dba Bar Abilene, 1300 Lagoon Av;

Zuhrah Shrine Temple, dba Zuhrah Shrine Temple, 2540 Park Av;

On-Sale Liquor Class C-1 with Sunday Sales, to expire July 1, 2006

Kilimanjaro Cafe Inc, dba Kilimanjaro Cafe, 324 Cedar Av S;

On-Sale Liquor Class C-2 with Sunday Sales, to expire January 1, 2006

Historic Pantages Theatre, dba Historic Pantages Theatre, 710 Hennepin Av;

Historic State Theatre, dba Historic State Theatre, 805 Hennepin Av;

Historic Theatre Group Ltd, dba Hennepin Stages, 824 Hennepin Av;

Historic Theatre Group Ltd, dba Historic Orpheum Theatre, 910 Hennepin Av;

On-Sale Liquor Class C-2 with Sunday Sales, to expire July 1, 2006

Stub & Herbs Inc, dba Stub & Herbs, 227 Oak St SE;

Pier Group LLC, dba Chiang Mai Thai Restaurant, 3001 Hennepin Av;

On-Sale Liquor Class E with Sunday Sales, to expire April 1, 2006

Marissas Inc, dba El Mariachi Restaurant, 2750 Nicollet Av;

On-Sale Liquor Class E with Sunday Sales, to expire June 15, 2005

Campiello LLC, dba Campiello, 1320 W Lake St (temporary expansion of premises for a Community Wine Tasting Event June 15, 2005, 4:30 p.m. to 9:00 p.m. in parking lot);

On-Sale Liquor Class E with Sunday Sales, to expire July 1, 2006

Buca (Minneapolis) Inc, dba Buca Di Beppo, 11 S 12th St;

Woman's Club of Minneapolis, dba Woman's Club of Minneapolis, 410 Oak Grove St;

FCA Restaurant Holdings LLC, dba Martini Blu, 615 2nd Av S;

Capital Grille Holdings Inc, dba Capital Grille, 801 Hennepin Av;

Sterling Hospitality Corp, dba Staccato, 1125 Marquette Av;

Psycho Suzis Motor Lounge LLC, dba Psycho Suzis Motor Lodge, 2519 Marshall St NE;

Liquor Catering Services, to expire August 1, 2005

Lancer Management Services Inc, dba Lancer Catering, 350 S 5th St - City Hall (new business);

Temporary On-Sale Liquor

Minnesota AIDS Project, dba Minnesota AIDS Project, 1400 Park Av (June 10, 2005, 5:00 p.m. to 9:00 p.m.; Wilde Roast Cafe, 518 E Hennepin Av;

On-Sale Wine Class A with Strong Beer, to expire April 1, 2006

C & H Inc, dba U Garden Restaurant, 2725 University Av SE;

Anderson Restaurant Corporation, dba Dulono's Pizza, 607 W Lake St;

On-Sale Wine Class C-1 with Strong Beer, to expire April 1, 2006

Coffee Time Inc, dba Wilde Roast Cafe, 518 E Hennepin Av;

On-Sale Wine Class C-2 with Strong Beer, to expire April 1, 2006

Manhattan Lofts LLC, dba Manhattan Loft, 802 Washington Av SE (new business; change from On-Sale Beer);

G & D Foods Inc, dba Kafe 421, 421 14th Av SE;

Harley A Thompson, dba Casey's Bar & Grill, 3510 Nicollet Av;

On-Sale Wine Class E with Strong Beer, to expire April 1, 2006

Cafe Brenda Company, dba Cafe Brenda, 300 1st Av N;
Vescio's Inc, dba Vescio's Italian Cafe, 406 14th Av SE;
Alma Tierra Inc, dba Alma, 528 University Av SE;
Excelsior Bay Investment Group LLC, dba Panchero's Mexican Grill, 600 Hennepin Av #240;
Yellow Lantern LLC, dba The Steak Knife, 1327 4th St SE;
Three Strands Enterprises Inc, dba Rix Bar and Grill, 2203 44th Av N;
Cafe Twenty Eight LLC, dba Cafe Twenty Eight, 2724 W 43rd St;
Civitali Restaurant Corp, dba Punch Neapolitan Pizza, 3226 W Lake St;
Taqueria Don Blas Inc, dba Taco Blass, 3722 Chicago Av;
Taqueria Don Blass Inc, dba Taco Blass, 3764 Nicollet Av;

Off-Sale Beer, to expire April 1, 2006

William T & Deborah Rahn, dba Oak Grove Grocery, 218 Oak Grove St;
Diamond Lake 1994 LLC, dba Cub Foods - Broadway, 701 W Broadway;
Aldi Inc, dba Store #67, 1311 E Franklin Av;
Michael Pham, dba Duc Loi Supermarket, 2429 Nicollet Av;
Hammad Food Inc, dba More Valu Food, 2600 Cedar Av S;
Good Choice Inc, dba Los Amigos, 2746 Blaisdell Av;
South Side Food Market LLC, dba South Side Food Market, 3501 23rd Av S;
Kwik Mart Inc, dba Kwik Mart Inc, 3652 Cedar Av S;
Rami A Wadi, dba Best Food Market, 3756 Nicollet Av;

On-Sale Beer Class E, to expire April 1, 2006

Shuang Cheng Inc, dba Shuang Cheng Restaurant, 1320 4th St SE;
Lili-Nick, Inc, dba Tooties on Lowry, 2706 Lowry Av N;
Thomas Rosen Inc, dba Cedar Inn, 4155 Cedar Av S;
Cod Jr Incorporated, dba Cloggy's Tavern, 5404 34th Av S;

Temporary On-Sale Beer

GLBT Pride/Twin Cities, dba GLBT Pride, PO Box 2104 (June 25, 2005, Noon to 10:00 p.m. and June 26, 2005, Noon to 8:00 p.m.);

Sons of Norway, dba Sons of Norway, 1455 W Lake St (August 5, 2005, Noon to 9:30 p.m.; August 6, 2005, 10:00 a.m. to 9:00 p.m.; and August 7, 2005, Noon to 6:00 p.m.).

Adopted 7/1/05.

PS&RS - Your Committee recommends adoption of the accompanying Resolution granting applications for Business Licenses.

Adopted 7/1/05.

Resolution 2005R-389, granting applications for Business Licenses, was adopted 7/1/05 by the City Council. A complete copy of this resolution is available for public inspection in the office of the City Clerk.

The following is the complete text of the unpublished summarized resolution.

RESOLUTION 2005R-389

By Niziolek

Granting applications for Business Licenses.

Resolved by The City Council of The City of Minneapolis:

That the following applications for business licenses (including provisional licenses) as per list on file and of record in the Office of the City Clerk under date of July 1, 2005 be granted, subject to final inspection and compliance with all provisions of the applicable codes and ordinances (Petr No 270503):

Car Wash; Dancing School; Dry Cleaner - Nonflammable; Dry Cleaning & Laundry Pickup Station; Laundry; Boarding House; Caterers; Food Distributor; Food Market Distributor; Grocery; Food Manufacturer; Food Market Manufacturer; Milk & Grocery Delivery Vehicle; Mobile Food Vendor; Restaurant; Short-Term Food Permit; Seasonal Short Term Food; Sidewalk Cafe; Sidewalk Cart Food Vendor; Vending Machine; Gasoline Filling Station; Heating, Air Conditioning & Ventilating Class B; Motor Vehicle Dealer - Cycles & Motorbikes; Motor Vehicle Dealer - New & Used; Motor Vehicle Dealer - Used Only; Motor Vehicle Dealer - Additional Lot; Motor Vehicle Immobilization Service; Motor Vehicle Repair Garage; Motor Vehicle Repair Garage with Accessory Use; Towing Class A; Precious Metal Dealer; Public Market; Plumber; Refrigeration Systems Installer; Secondhand Goods Class B; Antique Dealer Class B; Solicitor - Company; Solicitor - Individual; Tattooist/Body Piercer; Tattooist/Body Piercer Establishment; Taxicab Service Company; Taxicab - Neighborhood Rideshare; Taxicab Vehicle; Theater Zone I; Tobacco Dealer; Combined Trades; Tree Servicing.

Adopted 7/1/05.

PS&RS - Your Committee recommends adoption of the accompanying Resolution granting applications for Gambling Licenses.

Adopted 7/1/05.

Resolution 2005R-390, granting applications for Gambling Licenses, was adopted 7/1/05 by the City Council. A complete copy of this resolution is available for public inspection in the office of the City Clerk.

The following is the complete text of the unpublished summarized resolution.

RESOLUTION 2005R-390
By Niziolek

Granting applications for Gambling Licenses.

Resolved by The City Council of The City of Minneapolis:

That the following applications for gambling licenses be granted, subject to final inspection and compliance with all provisions of applicable codes and ordinances:

Gambling Lawful Exempt

Church of the Annunciation, dba September Fest, 509 W 54th St (Bingo & Raffle September 9, 10 & 11, 2005);

Breast Cancer Awareness Association, dba Breast Cancer Awareness Association, 2318 S Willow Ln, St. Louis Park (Raffle October 1, 2005 at Convention Center);

Jewish Family and Childrens Serv of Minneapolis, dba Jewish Family and Childrens Serv of Minneapolis, 13100 Wayzata Blvd, Minnetonka (Raffle December 3, 2005 at Convention Center).

Adopted 7/1/05.

PS&RS - Your Committee recommends passage of the accompanying Resolution approving Technical Advisory Committee recommendations relating to the On-Sale Wine Class D with Strong Beer License held by Angel's Pizza, 805 38th St.

Adopted 7/1/05.

Resolution 2005R-391, approving Technical Advisory Committee recommendations relating to the On-Sale Wine Class D with Strong Beer License held by Angel's Pizza, 805 38th St, was adopted 7/1/05 by the City Council. A complete copy of this resolution is available for public inspection in the office of the City Clerk.

The following is the complete text of the unpublished summarized resolution.

RESOLUTION 2005R-391

By Niziolek

Approving Technical Advisory Committee recommendations relating to the On-Sale Wine Class D with Strong Beer License held by Angel's Pizza, 805 38th St.

Whereas, the Licenses & Consumer Services Division held a Technical Advisory Committee hearing on May 5, 2005 with the licensee to discuss violations of law relating to the operation of a licensed beverage establishment; and

Whereas, the Public Safety & Regulatory Services Committee received Findings of Fact, Conclusions and Recommendations as a result of the licensee violating the Minneapolis Code of Ordinances by failing to provide proof of continuous coverage of liquor liability insurance; failing to keeping the business closed after it was placarded as an unlicensed business; and failing to provide in a timely manner a certified copy of gross sales revenue showing the food to alcohol sales ratio;

Now, Therefore, Be It Resolved by The City Council of The City of Minneapolis:

That the following TAC recommendations be adopted, as more fully set forth in said Findings on file in the Office of the City Clerk and made a part of this report by reference:

- a. liquor liability insurance must remain in continuous coverage or the business will be closed.
 - b. the licensee will communicate directly to all employees that when staff from the City of Minneapolis contact the business by phone, they will immediately attempt to contact the owner directly so he may speak with City staff.
 - c. the licensee will provide the City by June 15, 2005 with a revised report to the State of Minnesota which indicates the gross sales of revenue and food to alcohol ratio.
 - d. the licensee shall pay an administrative penalty in the total amount of \$500 by June 1, 2005.
- Adopted 7/1/05.

PS&RS - Your Committee, having under consideration the property located at 607 E 15th St which has been deemed by the Director of Inspections to constitute a nuisance condition within the meaning of Chapter 249 of the Minneapolis Code of Ordinances, now recommends that the proper City Officers be authorized to demolish said property legally described as Lot 016, Elliot and Abbotts Addition to Minneapolis (PID #26-029-24-32-0074), in accordance with the Findings of Fact, Conclusions and Recommendations which are on file in the Office of the City Clerk and made a part of this report by reference.

Adopted 7/1/05.

PS&RS - Your Committee, having received a presentation from the Fire Chief on the Fire Department Accreditation process, now recommends that the document entitled "Minneapolis Fire Department Standards of Response Coverage" be adopted as the official ratified standard of coverage for the Fire Department, as set forth in Petn No 270501 on file in the Office of the City Clerk.

Lane moved that the report be referred to the Ways & Means/Budget Committee for fiscal analysis. Seconded.

Adopted upon a voice vote 7/1/05.

The **PUBLIC SAFETY & REGULATORY SERVICES** and **WAYS & MEANS/BUDGET** Committees submitted the following reports:

PS&RS & W&M/Budget - Your Committee recommends that the proper City Officers be authorized to accept the following donations to the Fire Department to put toward the purchase of a treadmill:

- a. J. Adair Dunkley and Jack A. Myers, in the amount of \$100.
- b. St. Cloud State University, in the amount of \$150.

Further, passage of the accompanying Resolution appropriating \$250 to the Fire Department.

Adopted 7/1/05.

RESOLUTION 2005R-392
By Niziolek and Johnson

Amending The 2005 General Appropriation Resolution.

Resolved by The City Council of The City of Minneapolis:

That the above-entitled Resolution, as amended, be further amended by increasing the appropriation for the Fire Department Agency in the Grants - Other Fund (060-280-2820) by \$250 and increasing the Revenue Source (060-280-2820 - Source 3720) by \$250.

Adopted 7/1/05.

PS&RS & W&M/Budget - Your Committee, having under consideration the 2005 Law Enforcement Terrorism Prevention Program Federal Grant, now recommends that the proper City Officers be authorized to accept a grant award of \$74,212 and execute a grant agreement with the Minnesota Department of Public Safety, Division of Homeland Security and Emergency Management, for the Fire Department to purchase of a robot for mitigation purposes by the Minneapolis Police Bomb Squad. Further, passage of the accompanying Resolution appropriating \$74,212 to the Fire Department.

Adopted 7/1/05.

RESOLUTION 2005R-393
By Niziolek and Johnson

Amending The 2005 General Appropriation Resolution.

Resolved by The City Council of The City of Minneapolis:

That the above-entitled Resolution, as amended, be further amended by increasing the appropriation for the Fire Department Agency in the Grants - Federal Fund (030-280-2880) by \$74,212 and increasing the Revenue Source (030-280-2880 - Source 3210) by \$74,212.

Adopted 7/1/05.

PS&RS & W&M/Budget - Your Committee recommends that the proper City Officers be authorized to accept a donation of furniture from Slumberland Furniture Company (two couches, two end tables, one coffee table, and one table with chairs), valued at \$2,278.56, for the employee lounge at the 5th Police Precinct Station.

Adopted 7/1/05.

PS&RS & W&M/Budget - Your Committee recommends that the proper City Officers be authorized to accept a Terrorism Prevention Grant award of \$97,500 and execute a grant agreement with the Minnesota Department of Public Safety, Division of Homeland Security and Emergency Management, to hire a consultant/planner who will work at the Minnesota Dakotas Analysis Center in order to participate in information, investigative and intelligence sharing activities related to homeland security. Further, passage of the accompanying Resolution appropriating \$97,500 to the Police Department.

Adopted 7/1/05.

RESOLUTION 2005R-394
By Niziolek and Johnson

Amending The 2005 General Appropriation Resolution.

Resolved by The City Council of The City of Minneapolis:

That the above-entitled Resolution, as amended, be further amended by increasing the appropriation for the Police Department Agency in the Grants - Federal Fund (030-400-C007) by \$97,500 and increasing the Revenue Source (030-400-C007 - Source 3210) by \$97,500.

Adopted 7/1/05.

PS&RS & W&M/Budget - Your Committee, having under consideration the Financial Crimes Task Force, now recommends that the proper City Officers be authorized to amend the grant agreement with the Minnesota Department of Public Safety to receive \$34,350 for the Police Department's participation in the Task Force, which funds salary and overtime expenses for two officers through the end of the current grant period. Further, passage of the accompanying Resolution appropriating \$34,350 to the Police Department.

Adopted 7/1/05.

RESOLUTION 2005R-395

By Niziolek and Johnson

Amending The 2005 General Appropriation Resolution.

Resolved by The City Council of The City of Minneapolis:

That the above-entitled Resolution, as amended, be further amended by increasing the appropriation for the Police Department Agency in the Grants - Federal Fund (030-400-C117) by \$34,350 and increasing the Revenue Source (030-400-C117 - Source 3210) by \$34,350.

Adopted 7/1/05.

The **TRANSPORTATION & PUBLIC WORKS** Committee submitted the following reports:

T&PW - Your Committee, having under consideration the Minneapolis Police Department Third Precinct Expansion, now recommends that the proper City officers be authorized to execute Change Order No. 4 to Contract No. C-19837 with Stahl Construction Company in the amount of \$32,409, for a revised contract total of \$5,103,068, to allow for construction contingencies included in the original project budget.

Adopted 7/1/05.

T&PW - Your Committee, having under consideration the Southwest Corridor Alternatives Analysis Process, now recommends the appointment of Council Members Dan Niziolek and Gary Schiff as members of the Southwest Corridor Policy Advisory Committee.

Adopted 7/1/05.

T&PW - Your Committee recommends passage of the accompanying Resolution approving the appointment of citizen representatives to the Ten-Year Transportation Action Plan Project Steering Committee. (Petr No. 270507)

Adopted 7/1/05.

Resolution 2005R-396, approving appointments of citizen representatives to the Ten-Year Transportation Action Plan Project Steering Committee, was adopted 7/1/05 by the City Council. A complete copy of this resolution is available for public inspection in the office of the City Clerk.

The following is the complete text of the unpublished summarized resolution.

RESOLUTION 2005R-396

By Colvin Roy

Approving the appointment of citizen representatives to the Ten-Year Transportation Action Plan Project Steering Committee.

Resolved by The City Council of The City of Minneapolis:

That the following citizen representatives be appointed to the Ten-Year Transportation Action Plan Project Steering Committee:

Name	Representing	Address
Bob Greenberg	Downtown Area	The 614 Company, 81 S 9th St
John VanHeel	Downtown Area	110 W Grant St #10K
Kerri Pearce Ruch	Northwest Area	4814 Bryant Ave N
John Akre	Northeast Area	1518 NE 4th St.
John DeWitt	East Area	1531 East River Pkwy
Lea Schuster	Southeast Area	3534 22nd Ave S
Doug Walter	Southeast Area	5025 43rd Ave S
Darrell Gerber	Southwest Area	3733 Pillsbury Ave
Caren Dewar	Southwest Area	1458 W 35th St

Adopted 7/1/05.

The **TRANSPORTATION & PUBLIC WORKS** and **WAYS & MEANS/BUDGET** Committees submitted the following reports:

T&PW & W&M/Budget - Your Committee, having under consideration the Marshall Terrace Neighborhood Action Plan Driver Feedback Signage Project, now recommends the installation of Dynamic Speed Signs at Marshall St and University Av NE.

Your Committee further recommends passage of the accompanying Resolution increasing the appropriation in the PW-Transportation-Capital Agency by \$20,000, to be fully reimbursed by Marshall Terrace Neighborhood Revitalization Project Funds.

Adopted 7/1/05.

RESOLUTION 2005R-397
By Colvin Roy and Johnson

Amending The 2005 Capital Improvement Appropriation Resolution.

Resolved by The City Council of The City of Minneapolis:

That the above-entitled Resolution, as amended, be further amended by increasing the appropriation in the PW-Transportation-Capital Agency in the Permanent Improvement Projects Fund by \$20,000 (4100-943-9440) and increasing the revenue source (4100-943-9440-TR007) by \$20,000.

Adopted 7/1/05.

T&PW & W&M/Budget - Your Committee, having under consideration the installation of a traffic signal at the intersection of Chicago Av S and the access to the Midtown Commons (Chicago/Lake Transit Center), now recommends:

- a) That the proper City officers be authorized to execute an agreement with the Metropolitan Council for the installation of the traffic signal by City forces, to be reimbursed by the Metropolitan Council;
- b) That the proper City officers be authorized to refund payments received by the City from Ryan Companies US, Inc. in the amount of \$86,750, after the Met Council agreement has been executed; and
- c) Passage of the accompanying Resolution increasing the appropriation in the PW-Transportation-Capital Agency by \$144,315, to be fully reimbursed by the Metropolitan Council.

Adopted 7/1/05.

RESOLUTION 2005R-398
By Colvin Roy and Johnson

Amending The 2005 Capital Improvement Appropriation Resolution.

Resolved by The City Council of The City of Minneapolis:

That the above-entitled Resolution, as amended, be further amended by increasing the appropriation in the PW-Transportation-Capital Agency in the Permanent Improvement Projects Fund by \$144,315 (4100-943-9440) and increasing the revenue source (4100-943-9440-3720) by \$144,315.

Adopted 7/1/05.

T&PW & W&M/Budget - Your Committee recommends acceptance of the bid submitted to the Public Works Department on OP No. 6458 from EnviroTech Remediation Services, Inc., in the amount of \$24,200, to furnish all labor, materials, equipment, and incidentals necessary to accomplish the abatement of hazardous materials located within the combined Street Maintenance/Police Department Property and Evidence Facility.

Your Committee further recommends that the proper City officers be authorized and directed to execute a contract for said service, all in accordance with City specifications and contingent upon approval of the Civil Rights Department. (Petrn. No. 270508)

Adopted 7/1/05.

The **WAYS & MEANS/BUDGET** Committee submitted the following reports:

W&M/Budget - Your Committee recommends concurrence with the recommendation of the City Attorney for the reimbursement of legal fees as follows:

a) Payment of \$2,944.64 to Frederic Bruno and Associates for legal services provided to Officer Victor Mills (as outlined in Petn No 270511); and

b) Payment of \$2,468.75 to Frederic Bruno and Associates for legal services provided to Officer John Laluzerne (as outlined in Petn No 270511).

Adopted 7/1/05.

W&M/Budget - Your Committee recommends passage of the accompanying Resolution authorizing settlement of legal matters, as recommended by the City Attorney.

Adopted 7/1/05.

Resolution 2005R-399, authorizing settlement of the legal claims of Aaron Madden and Dennis Burns, Connie Boland, Scott Whitman, and Tamikah Lynn Weiner, was adopted 7/1/05 by the City Council. A complete copy of this resolution is available for public inspection in the office of the City Clerk.

The following is the complete text of the unpublished summarized resolution.

RESOLUTION 2005R-399

By Johnson

Authorizing legal settlements.

Resolved by The City Council of The City of Minneapolis:

That the City Attorney is authorized to proceed with settlement of the following:

a) Madden & Burns, by payment of \$25,000 to Mr. Aaron Madden and \$65,000 to Mr. Dennis Burns and their attorney, Frederick Goetz; and

b) Connie Boland, by payment of \$2,500 to Ms. Connie Boland and her attorney, Martins S. Azarian; and

c) Scott Whitman, by payment of \$1,200 to Mr. Scott Whitman and his attorney, Charles Cox; and

d) Tamikah Lynn Weiner, by payment of \$7,500 to Mr. Tamikah Lynn Weiner and her attorney, Barry Voss.

Be It Further Resolved that the proper City officers be authorized to execute any documents necessary to effectuate said settlements.

Adopted 7/1/05.

W&M/Budget - Your Committee having under consideration the award of a Certified Local Government (CLG) Grant to the City from the Minnesota Historical Society (as outlined in Petn No 270512); to be used to revise the City's survey of historic properties in parts of Lowry Hill, Kenwood, and East Isles Neighborhoods, now recommends that the proper City officers be authorized to:

a) Accept the CLG grant in the amount of \$12,000; and

b) Execute a grant agreement with the Minnesota Historical Society for the receipt of said funds.

Your Committee further recommends passage of the accompanying resolution increasing the appropriation to the Planning Department to reflect the receipt of said funds.
Adopted 7/1/05.

RESOLUTION 2005R-400
By Johnson

Amending The 2005 General Appropriation Resolution.

Resolved by The City Council of The City of Minneapolis:

That the above-entitled resolution, as amended, be further amended by increasing the appropriation for the Planning Department Agency in the Grants - Federal Fund (0300-380-3820) by \$12,000, and increasing the Planning Department Agency revenue estimate in the Grants - Federal Fund (0300-380-3820-Source 3210) by \$12,000.

Adopted 7/1/05.

W&M/Budget - Your Committee recommends that the proper City officers be authorized to issue a Request for Proposals (RFP), for conducting a 2005 Resident Survey (as outlined in Petn No 270514), and contingent on a Permanent Review Committee (PRC) approval.

Adopted 7/1/05.

W&M/Budget - Your Committee recommends that the proper City officers be authorized to enter into a three year agreement from July 1, 2005 to June 30, 2008 with Medica, to provide financial support in the amount of \$375,000 payable in six month increments in the amount of \$62,500 for the Skyway Senior Center.

Your Committee further recommends passage of the accompanying resolution increasing the appropriation to the Health and Family Support Agency to reflect the receipt of said funds.

Adopted 7/1/05.

RESOLUTION 2005R-401
By Johnson

Amending The 2005 General Appropriation Resolution.

Resolved by The City Council of The City of Minneapolis:

That the above-entitled resolution, as amended, be further amended by increasing the appropriation for the Health and Family Support Agency in the Grants - Other Fund (0600-860-8607) by \$375,000, and increasing the Health and Family Support Agency revenue estimate in the Grants - Other Fund (0600-860-8607-Source 3720) by \$375,000.

Adopted 7/1/05.

W&M/Budget - Your Committee recommends that the proper City officers be authorized to prepare and execute a loan agreement for an additional \$2.5 million line of credit to Greater Minneapolis Convention and Visitors Association (GMCVA) for completion and marketing of Internet Destination Sales System (iDSS) products and related services. Loan repayment responsibilities fall to GMCVA, coming out of either iDSS profits or offsets to future appropriations from the City.

Adopted 7/1/05. Yeas, 12; Nays, 1 as follows:

Yeas - Lane, Samuels, Johnson, Colvin Roy, Zimmermann, Schiff, Lilligren, Johnson Lee, Niziolek, Benson, Goodman, Ostrow.

Nays - Zerby.

The **ZONING & PLANNING** Committee submitted the following reports:

Z&P - Your Committee, having under consideration the appeal filed by Mark Koscielski from the decision of the Board of Adjustment upholding the Zoning Administrator's decision that the establishment, Guns and Ammo, at 2926 Chicago Ave S, is not authorized to sell firearms in the C1 District, and the enforcement of a cease and desist order from the City, now recommends that said appeal be denied.

Your Committee further recommends that City staff be directed to evaluate and pursue appropriate enforcement options for the property as soon as possible.

Adopted 7/1/05.

Z&P - Your Committee, having under consideration the appeal filed by John Cann, on behalf of the Greenhouse Resident's Association, from the decision of the Planning Commission which granted the application of The Ackerberg Group for a conditional use permit for a planned unit development at 1320 Lagoon Ave S, 2900, 2904 and 2908 Fremont Ave S (Lagoon Mixed Use Development), now recommends that said appeal be denied.

Adopted 7/1/05.

Z&P - Your Committee, having under consideration the appeal filed by Lara Norkus-Crampton and Aaron Rubenstein from the decision of the Planning Commission which granted the applications of The Ackerberg Group for a) a conditional use permit for a planned unit development; and b) a variance of the required rear and interior side yard setbacks for the proposed residential structure at 1320 Lagoon Ave S, 2900, 2904 and 2908 Fremont Ave S (Lagoon Mixed Use Development), now recommends that said appeal be granted and the applications denied, and that the findings prepared by the Department of Planning & Economic Development staff be adopted.

Schiff moved to amend the report by deleting the language, "granted and the applications denied, and that the findings prepared by the Department of Planning & Economic Development staff be adopted" and inserting in lieu thereof, "denied in part, and granted in part, to approve the conditional use permit for a planned unit development and the requested variances of rear and interior side yard setbacks for the proposed residential structure, with the condition that the height of residential structure be reduced to no more than 10 stories, or 112 feet, in accordance with the revised drawings submitted 7/1/05." Seconded.

Adopted upon a voice vote.

The report, as amended, was adopted 7/1/05.

Yeas, 9; Nays, 4 as follows:

Yeas – Samuels, Johnson, Colvin Roy, Zimmermann, Schiff, Lilligren, Johnson Lee, Niziolek, Benson.

Nays – Lane, Zerby, Goodman, Ostrow.

Z&P – Your Committee, having under consideration the recommendation of the Planning Commission to grant the petition of The Ackerberg Group (BZZ-2286) to rezone the properties at 2900, 2904 and 2908 Fremont Ave from C2 to the C3A District to permit a planned unit development (Lagoon Mixed-Use Development), now recommends that said petition be sent forward without recommendation.

Schiff moved to amend the report by deleting the language, "sent forward without recommendation" and inserting in lieu thereof, "granted by passage of the accompanying ordinance amending the Zoning Code, and that the related findings prepared by the Department of Community Planning & Economic Development be adopted." Seconded.

Adopted by unanimous consent.

The report, as amended, was adopted 7/1/05.

Ordinance 2005-Or-056, amending Title 20, Chapter 521 of the Minneapolis Code of Ordinances relating to *Zoning Code: Zoning Districts and Maps Generally*, rezoning the properties at 2900, 2904 and 2908 Fremont Ave to the C3A District, was adopted 7/1/05 by the City Council. A complete copy of this ordinance is available for public inspection in the office of the City Clerk.

The following is the complete text of the unpublished summarized ordinance.

ORDINANCE 2005-Or-056

By Schiff

1st & 2nd Readings: 7/1/05

Amending Title 20, Chapter 521 of the Minneapolis Code of Ordinances relating to Zoning Code: Zoning Districts and Maps Generally.

The City Council of The City of Minneapolis do ordain as follows:

Section 1. That Section 521.30 of the above-entitled ordinance be amended by changing the zoning districts for the following parcels of land (2900, 2904 and 2908 Fremont Ave S) to the C3A District (Plate No. 24), pursuant to MS 462.357:

Lots 1, 2, 3, 4 and 5, Block 23; that part of the East half of the vacated alley lying between the extension across it of the North line of said Lot 1 and the South line of said Lot 5; and that part of vacated West 29th Street lying between the extensions across it of the center line of the alley in Block 23 and the East line of Lot 1, Block 23 except Tract A, Registered Land Survey 1718, All in WINDOM'S ADDITION to MINNEAPOLIS, according to the recorded plat thereof. together with PARCEL 1: Lots 8 to 12 inclusive, Block 23, and That part of the vacated alley in Block 23, lying West of the center line thereof and between the extensions across it of the Northerly line of Lot 12 and the Southerly line of Lot 8, said Block 23, WINDOM'S ADDITION to MINNEAPOLIS.

PARCEL 2: Lots 1 to 4 inclusive, Block 24, and that part of the East Half of the vacated alley in Block 24 lying between extensions across it of the North line of Block 24 and the North line of Lot 5 in said Block, WINDOM'S ADDITION to MINNEAPOLIS.

PARCEL 3: That part of vacated Girard Avenue South lying between extensions across it of the North lines of Blocks 23 and 24, and the South lines of Lot 8, Block 23 and Lot 5, Block 24, WINDOM'S ADDITION to MINNEAPOLIS.

That part of vacated West 29th Street lying between the Northerly extensions across it of the center line of the vacated alley in Block 23 and the center line of the vacated alley in Block 24, WINDOM'S ADDITION to MINNEAPOLIS, except Tract A, Registered Land Survey 1718.

Adopted 7/1/05.

Z&P - Your Committee, having under consideration the appeal filed by Judy Meath and Alexandra Coe from the decision of the Planning Commission which granted applications of the Biltmore Land Group, LLC, for a) a variance of the front yard setback requirement along Sheridan Ave from 41.5 feet to 20 feet; and b) site plan review for a six-unit cluster development at 3809, 3811 and 3813 Sheridan Ave S, now recommends that said appeal be granted and the applications denied, in accordance with the Findings of Fact prepared by the City Attorney's Office and on file in the Office of the City Clerk and made a part of this report by reference.

Adopted 7/1/05.

Z&P - Your Committee, having under consideration the appeal filed by James McComb from the decision of the Planning Commission which denied applications for a) an expansion of a nonconforming use to allow a one-story addition to an existing duplex; and b) a variance to reduce the front yard setback along W 27th St from 25' to 11' to allow for a fireplace chimney, and to 14 feet to allow for a one-story addition to the existing duplex at 2701 E Lake of the Isles Pkwy, now recommends that said appeal be granted, based on the applicant's revised plans, with a) a variance approved to reduce the front yard setback along W 27th St from 25' to 15'; b) the condition that the applicant apply for historic designation of the property within one year; and c) the condition that the fireplace chimney be constructed internally.

Adopted 7/1/05.

Z&P - Your Committee, having under consideration the appeal filed by Brian Alton, on behalf of Chun Keath and Guenkeng Trann Ung, from the decision of the Planning Commission relating to applications for the proposed expansion of the existing U Garden Restaurant at 2725 University Ave SE, a) denying

a variance for front yard setback, and b) appealing the condition of approval for the site plan review, requiring the front entry to be located at the front or southeast corner of the building, now recommends that said appeal and applications be granted, in accordance with the revised site plan drawings.

Adopted 7/1/05.

Z&P - Your Committee, having under consideration the appeal filed by JADT Food Group, LLC, d/b/a McDonald's, from the decision of the Planning Commission which denied an application for a conditional use permit for 24-hour operation of the fast-food restaurant with drive-through at 916 W Broadway, now recommends that said appeal be granted and the conditional use permit be approved, with the condition of additional security being provided for the 24-hour operation.

Adopted 7/1/05.

Z&P - Your Committee, to whom was referred the *subject matter* of an ordinance amending Title 20, Chapter 551 of the Minneapolis Code of Ordinances relating to *Zoning Code: Overlay Districts*, establishing a minimum floor area ratio of 1.0 for new development in the Pedestrian Oriented Overlay District, now recommends that said proposal be returned to author.

Adopted 7/1/05.

MOTIONS

Johnson moved that the regular payrolls for all City employees under City Council jurisdiction for the month of August 2005 be approved and ordered paid subject to audit by the Finance Officer. Seconded.

Adopted 7/1/05.

Niziolek introduced the subject matter of an ordinance amending Title 11, Chapter 227 of the Minneapolis Code of Ordinances relating to Health and Sanitation: Nuisances Generally, which was given its first reading and referred to the Public Safety & Regulatory Services Committee (amending Section 227.100, abatement of offensive conditions and vegetation, to double the administrative fine after the second abatement within a 12-month period).

RESOLUTIONS

Zimmermann and Johnson Lee offered a resolution supporting a Minneapolis sales tax for health programs, firefighters, and police officers for referral to the Health & Human Services, Public Safety & Regulatory Services and Intergovernmental Relations Committee.

Johnson Lee moved a substitute motion that the resolution be referred only to the Intergovernmental Relations Committee. Seconded.

Lost 7/1/05. Yeas, 5; Nays, 8 as follows:

Yeas - Zimmermann, Zerby, Lilligren, Johnson Lee, Niziolek.

Nays - Lane, Samuels, Johnson, Colvin Roy, Schiff, Benson, Goodman, Ostrow.

Zimmerman offered a resolution rescinding Resolution No. 2005R-353 entitled "Approving implementation principles for a new ballpark".

Zimmermann moved that this resolution be deleted from the agenda. Seconded.

Adopted by unanimous consent 7/1/05.

Absent - Lane.

Resolution 2005R-402, declaring July 15, 2005 as John Guare Day in the City, was adopted 7/1/05 by the City Council. A complete copy of this resolution is available for public inspection in the office of the City Clerk.

The following is the complete text of the unpublished summarized resolution.

RESOLUTION 2005R-402
By Schiff

Honoring John Guare.

Whereas, John Guare is one of the most prominent playwrights in the United States, having written Six Degrees of Separation, The House of Blue Leaves, Marco Polo Sings a Solo, Landscape of the Body, Four Baboons Adoring the Sun and a series on 19th-century America – Gardenia, Lydie Breeze and Women and Water, among others; and

Whereas, John Guare has written the screenplays for Six Degrees of Separation, Taking Off, for which he collaborated with Milos Forman, and Atlantic City, for which he was nominated for an Academy Award; and

Whereas, John Guare has been awarded the Tony Award, Obie Award, Drama Critics Circle Award, Olivier Award, New York State Governor's Arts Award, the Jury Prize at the Cannes Film Festival, the PEN/Laura Pels Master Dramatist Prize and the 2005 Obie Award for Sustained Achievement; and

Whereas, John Guare was a founding member of the Eugene O'Neill Theatre Center, is the editor of the Lincoln Center Theater Review, teaches playwriting at the Yale School of Drama, is a council member of the Dramatists Guild, and has been elected to the Theatre Hall of Fame and the American Academy of Arts and Letters; and

Whereas, John Guare is Minneapolis working on his adaptation of His Girl Friday for its American premiere at the Guthrie Theater;

Now, Therefore, Be It Resolved by The City Council of The City of Minneapolis:

That Friday, July 15th, 2005, be declared as John Guare Day in the City of Minneapolis.

Adopted 7/1/05.

Absent - Lane.

UNFINISHED BUSINESS

Z&P - Your Committee, having under consideration the appeal filed by Robert MacIntyre from the decision of the Planning Commission which approved applications of Akinyele Akinsanya, for Brakins Homes, for a) conditional use permit; b) 23 percent lot area variance; c) front yard variance; and d) site plan review, for a seven-unit townhome development (Bassett Creek Woods Townhomes) at 908-920 Washburn Ave N, now recommends that said appeal be denied and the applications granted, and that the findings prepared by the Department of Planning & Economic Development staff be adopted.

Johnson Lee moved to deny the appeal with a direction to staff to draft appropriate findings. Seconded.

Zerby moved a substitute motion that the matter be referred back to the Zoning & Planning Committee, with a direction to include documentation that has been submitted since the matter was sent forward to the City Council, that the record and the public hearing on the matter be reopened, and that the intent of the City Council is to preserve the City's legal rights in the matter as determined necessary by the City Attorney. Seconded.

Adopted by unanimous consent.

Zerby's motion was adopted 7/1/05. Yeas, 10; Nays, 3 as follows:

Yeas - Lane, Samuels, Johnson, Colvin Roy, Schiff, Zerby, Lilligren, Johnson Lee, Benson, Ostrow.

Nays - Zimmermann, Niziolek, Goodman.

Velocity Investments, dba Le Parisien, LLC (2301-09 Lyndale Ave S): Passage of Ordinance to rezone properties to permit mixed-use building (Postponed for two cycles on 6/17/05).

By unanimous consent, the above report continued to be postponed.

NEW BUSINESS

Niziolek moved to introduce an ordinance amending Title 12, Chapter 244, Article XVI of the Minneapolis Code of Ordinances relating to *Housing: Rental Dwelling License Fees*, which was given its first reading and referred to the Public Safety and Regulatory Services Committee (amending Section 244.1880 increasing the annual license fee).

Zerby moved to introduce an ordinance amending Title 13, Chapter 319 of the Minneapolis Code of Ordinances relating to Licenses and Business Regulations: Open Air Motor Vehicle Parking, which was given its first reading and referred to the Public Safety & Regulatory Services Committee (deleting the sunset provision of September 12, 2005 for the expanded tailgate area).

Lilligren moved to adjourn. Seconded.
Adopted upon a voice vote 7/1/05.

Merry Keefe,
City Clerk.

Unofficial Posting: 7/05/2005
Official Posting: 7/08/2005
Corrections: 7/18/2005; 8/25/2005